

SENATE JOURNAL

PROCEEDINGS

OF THE

**KANSAS
SENATE**

2023 Legislative Session
January 9 through April 28

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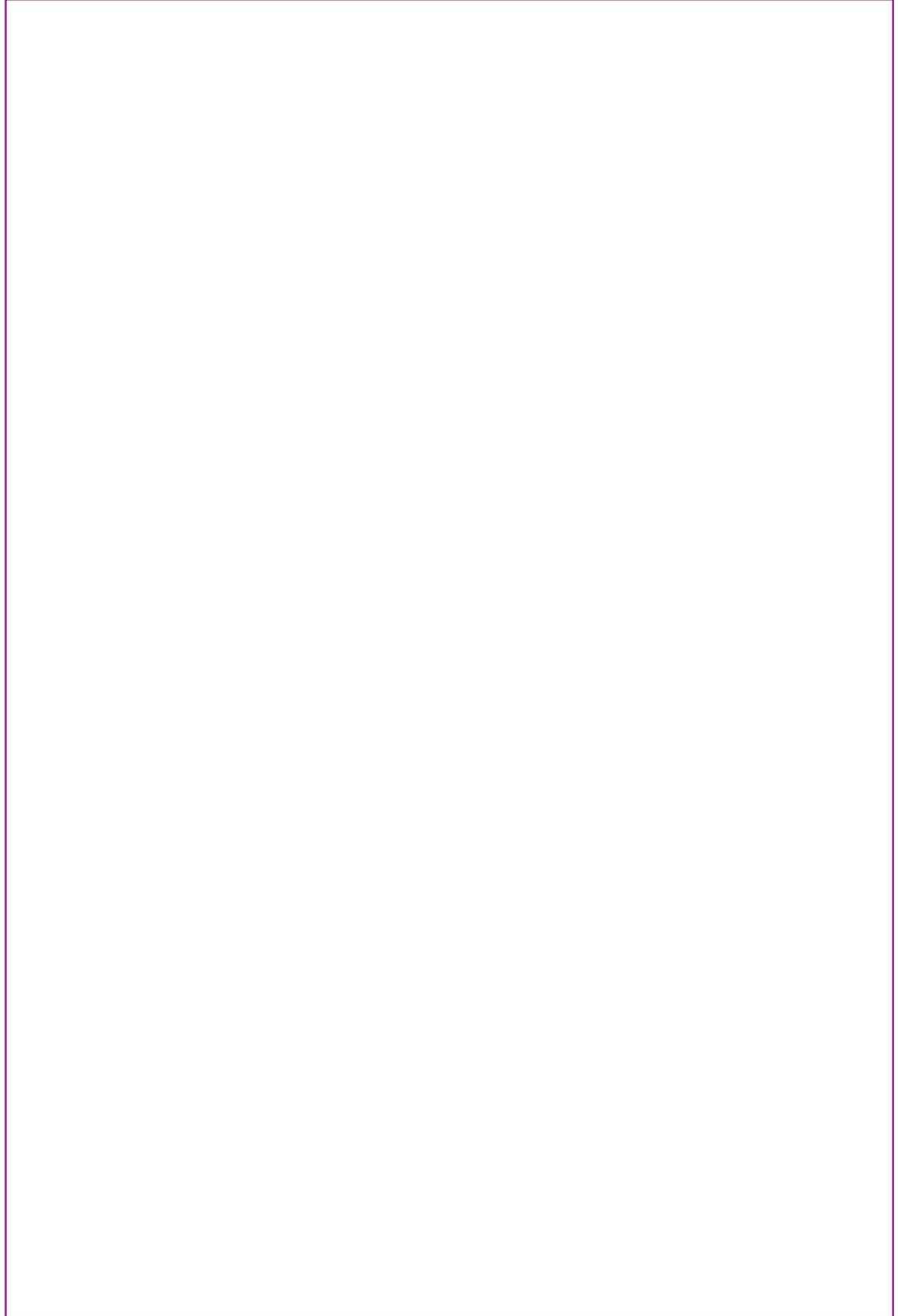


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Governor
Laura Kelly

Lieutenant Governor
David Toland

OFFICERS OF THE SENATE

2023 Legislative Session

Ty Masterson, Butler County, President
Rick Wilborn, McPherson County, Vice President
Larry Alley, Cowley County, Majority Leader
Dinah Sykes, Johnson County, Minority Leader
Corey Carnahan, Shawnee County, Secretary
Don Cackler, Douglas County, Sergeant at Arms

KANSAS SENATE 2023 LEGISLATIVE SESSION

NAME	COUNTY	PARTY	DISTRICT
Alley, Larry	Cowley	Rep.	32
Baumgardner, Molly	Miami	Rep.	37
Billinger, Rick	Sherman	Rep.	40
Blasi, Chase	Sedgwick	Rep.	27
Bowers, Elaine	Cloud	Rep.	36
Claeys, J.R.	Saline	Rep.	24
Corson, Ethan	Johnson	Dem.	7
Dietrich, Brenda	Shawnee	Rep.	20
Doll, John	Finney	Rep.	39
Erickson, Renee	Sedgwick	Rep.	30
Fagg, Michael	Butler	Rep.	14
Faust Goudeau, Oletha	Sedgwick	Dem.	29
Francisco, Marci	Douglas	Dem.	2
Gossage, Beverly	Johnson	Rep.	9
Haley, David	Wyandotte	Dem.	4
Holland, Tom	Douglas	Dem.	3
Holscher, Cindy	Johnson	Dem.	8
Kerschen, Dan	Sedgwick	Rep.	26
Kloos, Rick	Shawnee	Rep.	19
Longbine, Jeff	Lyon	Rep.	17
Masterson, Ty	Butler	Rep.	16
McGinn, Carolyn	Sedgwick	Rep.	31
Olson, Rob	Johnson	Rep.	23
O'Shea, Kristen	Shawnee	Rep.	18
Peck, Virgil	Montgomery	Rep.	15
Petersen, Mike	Sedgwick	Rep.	28
Pettey, Pat	Wyandotte	Dem.	6
Pittman, Jeff	Leavenworth	Dem.	5
Pyle, Dennis	Brown	Ind.	1
Reddi, Usha	Riley	Dem.	22
Ryckman, Ron	Meade	Rep.	38
Shallenburger, Tim	Cherokee	Rep.	13
Steffen, Mark	Reno	Rep.	34
Straub, Alicia	Barton	Rep.	33
Sykes, Dinah	Johnson	Dem.	21
Thompson, Mike	Johnson	Rep.	10
Tyson, Caryn	Linn	Rep.	12
Ware, Mary	Sedgwick	Dem.	25
Warren, Kellie	Johnson	Rep.	11
Wilborn, Rick	McPherson	Rep.	35

2023 Committee Assignments Standing Committees

Agriculture and Natural Resources 8:30 am Room 144-S
Kerschen (*Chairperson*), Ryckman (*Vice Chairperson*), Ware (*Ranking Minority Member*), Doll, Fagg, Francisco, McGinn, Peck, Straub

Assessment and Taxation 9:30 am Room 548-S
Tyson (*Chairperson*), Peck (*Vice Chairperson*), Holland (*Ranking Minority Member*), Baumgardner, Blaisi, Claeys, Corson, Erickson, Kerschen, Petersen, Reddi

Commerce 10:30 am Room 546-S
Erickson (*Chairperson*), Dietrich (*Vice Chairperson*), Holland (*Ranking Minority Member*), Doll, O'Shea, Peck, Shallenburger, Tyson, Ware

Confirmation Oversight On Call
Alley (*Chairperson*), Sykes (*Vice Chairperson*), Billinger, Masterson, Pettey, Wilborn

Education 1:30 pm Room 144-S
Baumgardner (*Chairperson*), Erickson (*Vice Chairperson*), Sykes (*Ranking Minority Member*), Blasi, Dietrich, Gossage, O'Shea, Pettey, Straub

Federal and State Affairs 10:30 am Room 144-S
Thompson (*Chairperson*), Kloos (*Vice Chairperson*), Faust Goudeau (*Ranking Minority Member*), Blasi, Holscher, Longbine, Petersen, Ryckman, Straub

Financial Institutions and Insurance 9:30 am Room 546-S
Longbine (*Chairperson*), Fagg (*Vice Chairperson*), Holscher & Pittman (*Ranking Minority Members*), Dietrich, Gossage, Kloos, Olson, Warren

Interstate Cooperation On Call
Masterson (*Chairperson*), Holland (*Ranking Minority Member*), Alley, Billinger, Holscher, Kloos, Wilborn

Judiciary 10:30 am Room 346-S
Warren (*Chairperson*), Wilborn (*Vice Chairperson*), Corson (*Ranking Minority Member*), Baumgardner, Bowers, Gossage, Haley, Olson, Steffen

Local Government 9:30 am Room 142-S
McGinn (*Chairperson*), Bowers (*Vice Chairperson*), Francisco (*Ranking Minority Member*), Doll, Faust Goudeau, Haley, Ryckman, Shallenburger, Steffen, Straub, Thompson

Organization, Calendar and Rules

On Call

Masterson (*Chairperson*), Alley, Wilborn**Public Health and Welfare**

8:30 am Room 142-S

Gossage (*Chairperson*), Erickson (*Vice Chairperson*), Pettey (*Ranking Minority Member*), Baumgardner, Blasi, Holscher, O'Shea, Steffen, Thompson**Transparency and Ethics**

9:30 am Room 142-S

Bowers (*Chairperson*), McGinn (*Vice Chairperson*), Faust Goudeau (*Ranking Minority Member*), Doll, Francisco, Haley, Ryckman, Shallenburger, Steffen, Straub, Thompson**Transportation**

8:30 am Room 546-S

Petersen (*Chairperson*), Kloos (*Vice Chairperson*), Corson (*Ranking Minority Member*), Bowers, Dietrich, Reddi, Shallenburger, Tyson, Warren**Utilities**

1:30 pm Room 548-S

Olson (*Chairperson*), Peterson (*Vice Chairperson*), Francisco (*Ranking Minority Member*), Bowers, Claeys, Corson, Fagg, Kloos, Pittman, Thompson, Warren**Ways and Means**

10:30 am Room 548-S

Billinger (*Chairperson*), Claeys (*Vice Chairperson*), Pettey (*Ranking Minority Member*), Alley, Fagg, Kerschen, Masterson, McGinn, Pittman**2023 Committee Assignments****Joint Committees****J. Russell (Russ) Jennings Joint Committee on Corrections and Juvenile Justice Oversight**

On Call

Bowers, Corson, Erickson, Faust Goudeau, Gossage, O'Shea, Warren

Joint Committee on Administrative Rules and Regulations

On Call

Warren (*Vice Chairperson*), Faust Goudeau, Francisco, McGinn, Tyson**Joint Committee on Child Welfare System Oversight**

On Call

Gossage (*Chairperson*), Faust Goudeau (*Ranking Minority Member*), Baumgardner, Erickson, Holscher, O'Shea**Joint Committee on Fiduciary Financial Institutions Oversight**

On Call

Longbine (*Vice Chairperson*), Fagg, Masterson, Pittman

Joint Committee on Information Technology Peterson (<i>Vice Chairperson</i>), Holland, Kloos, Pittman, Tyson	On Call
Joint Committee on Kansas Security Petersen (<i>Vice Chairperson</i>), Kloos, Peck, Pittman, Ware	On Call
Joint Committee on Pensions, Investments and Benefits Longbine (<i>Vice Chairperson</i>), Dietrich, Fagg, Holscher, Pettey	On Call
Joint Committee on Special Claims Against the State Dietrich (<i>Vice Chairperson</i>), Haley, McGinn	On Call
Joint Committee on State-Tribal Relations Alley (<i>Chairperson</i>), Holland (<i>Ranking Minority Member</i>), Bowers, Haley, Kerschen	On Call
Joint Committee on State Building Construction McGinn (<i>Vice Chairperson</i>), Francisco (<i>Ranking Minority Member</i>), Billinger, Claeys, Reddi	On Call
Legislative Budget Committee Billinger (<i>Vice Chairperson</i>), Claeys, Pettey	On Call
Legislative Coordinating Council Masterson (<i>Chairperson</i>), Alley, Sykes, Wilborn	On Call
Legislative Post Audit Committee Tyson (<i>Vice Chairperson</i>), Corson, Petersen, Thompson, Ware	On Call
Robert G. (Bob) Bethell Joint Committee on Home and Community Based Services and KanCare Oversight Gossage (<i>Chairperson</i>), Baumgardner, Fagg, Pettey, Steffen	On Call

Tab Page (Front)

Legislative Rules

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KANSAS CONSTITUTION

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: Eliminated by revision.

§ 7: Eliminated by revision.

§ 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.

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§ 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: Eliminated by revision.

§ 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

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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: Eliminated by revision.

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

§ 25: Eliminated by revision.

§ 26: Repealed.

§ 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: Eliminated by revision.

§ 30: Delegation of powers 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

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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.

RULES OF THE SENATE 2021-2024

Rule 1. Time of Meetings. The Senate on the first day of a session shall convene at 2:00 p.m., and at all other times shall convene at 2:30 p.m., unless otherwise ordered by the Senate.

Rule 2. Convening – Quorum – Assuming Duties of Chair. (a) The President shall take the chair at the hour fixed for the convening of the Senate, and the roll shall be called in order to ascertain if a quorum is present. A majority of the Senators then elected (or appointed) and qualified shall constitute a quorum, and, in the absence of a quorum, the Senators present, by majority vote, may take such measures as they shall deem necessary to secure the presence of a quorum.

(b) In the absence of the President, the Vice President shall assume the duties of the President. The President or Vice President may also name any Senator to temporarily perform the duties of the chair, but the Senator so named shall not act as President beyond adjournment, unless by leave of the Senate. A Senator shall not lose the right of voting on any subject while serving or acting as President.

Rule 3. Absence of Member. No Senator shall fail to attend when the Senate is in session without first obtaining leave of the Senate, unless prevented from attending by sickness or other sufficient cause.

Rule 4. Order of Business and Session Proforma. The order of business, following the roll call and prayer by the Chaplain, shall be as follows:

1. Introduction and reference of bills and concurrent resolutions.
2. Consideration of messages from the Governor.
3. Communications from state officers.
4. Consideration of messages from the House of Representatives.
5. Consideration of motions to concur or nonconcur.
6. Reports of select committees.
7. Consent Calendar.
8. Final Action on bills and concurrent resolutions.
9. Introduction of original motions and senate resolutions.
10. Correction and approval of the Journal.
11. Consideration of motions and senate resolutions.
12. Reports of standing committees.
13. General orders.

The Senate may meet from time to time for the sole purpose of processing routine business of the Senate. These sessions shall be known as Session Proforma.

(1) 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.

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

- (a) Introduction and reference of bills and concurrent resolutions.
- (b) Receipts of messages from the Governor.
- (c) Communications from state officers.
- (d) Receipt of messages from the House of Representatives.
- (e) Reports of select and standing committees.

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- (f) Presentation of petitions.
- (3) Motions. No motion shall be in order other than the motion to adjourn.
- (4) Objections. Any objection by any member shall require the Session Proforma to adjourn to the next day, Saturday and Sunday excluded, at 2:30 p.m.
- (5) 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.
- (6) Effect of Certain Rules. If a legislative day referred to in Rule 11, 12, 28, 32, 33, 53, 56, 68 or 69 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.

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

Rule 5. Business in Order at Any Time. Messages from the Governor, messages from the House of Representatives, introduction and reference of bills and concurrent resolutions, reports of standing committees and reports of select committees may be received and considered under any order of business.

Rule 6. Special Order. Whenever any bill or other matter is made the special order for a particular day, and shall not be reached or completed on that day, it shall be returned to its place in the General Orders, unless it shall be made the special order for another day. When any special order is under consideration, it shall take precedence over any special order for a subsequent hour of the same day, but such subsequent special order shall be taken up immediately after the previous order has been disposed of. Notation of a special order shall be placed before the first order of business on the calendar for that day, giving the subject to be considered and the time fixed for its consideration. When that time arrives, other business shall be suspended until the special order has been considered.

Rule 7. Standing Committees. (a) There shall be a standing committee named the Committee on Organization, Calendar and Rules which shall consist of three members, the chairperson of which shall be the president of the Senate, and the vice chairperson of which shall be the majority leader of the Senate. The Vice President of the Senate shall be a member of the committee. No bill or resolution other than resolutions adopting, amending or revoking rules of the Senate or Joint Rules of the Senate and House of Representatives, shall be introduced by or be referred to the Committee on Organization, Calendar and Rules.

- (b) The following shall be the other standing committees:

	Number of members
1. Agriculture and Natural Resources.....	9
2. Assessment and Taxation.....	11
3. Commerce.....	9
4. Confirmation Oversight	6
5. Education.....	9
6. Federal and State Affairs.....	9
7. Financial Institutions and Insurance.....	9
8. Interstate Cooperation.....	7
9. Judiciary.....	9
10. Local Government.....	11

11. Public Health and Welfare.....	9
12. Redistricting.....	9
13. Transparency and Ethics.....	11
14. Transportation.....	9
15. Utilities.....	11
16. Ways and Means.....	9

(c) The president of the Senate, with the advice of the majority leader and the vice president of the Senate, shall appoint the members of each committee, shall appoint the chairperson and vice chairperson or vice chairpersons thereof and shall designate the ranking minority member of each committee. The minority leader shall submit recommendations for the appointment of minority members to the standing committees of the Senate to the Committee on Organization, Calendar and Rules. The Committee on Organization, Calendar and Rules shall have a standing subcommittee on calendar which shall be the president of the Senate, the vice president of the Senate and the majority leader of the Senate. The Majority Leader shall be the chairperson of the subcommittee. The Committee on Organization, Calendar and Rules may establish such other subcommittees of the Committee on Organization, Calendar and Rules as the Committee deems appropriate.

(d) The Committee on Organization, Calendar and Rules shall have a standing subcommittee on rules which shall be the president of the Senate, the vice president of the Senate, the majority leader of the Senate, one member of the Senate from the majority party appointed jointly by the president of the Senate, the vice president of the Senate and the majority leader of the Senate and one member who shall be the minority leader of the Senate or the designee of the minority leader. The chairperson of the subcommittee on rules shall be the vice president of the Senate. The subcommittee on rules shall consider rules questions arising during a convening of the Senate.

(e) The Committee on Organization, Calendar and Rules and all of its subcommittees may close their meetings.

(f) The two major political parties shall have proportional representation on each standing committee other than the Committee on Organization, Calendar and Rules. In the event application of the preceding sentence results in a fraction, the party having a fraction exceeding 0.5 shall receive representation as though such fraction were a whole number.

(g) The Senate standing Committee on Agriculture and Natural Resources shall constitute the successor committee to the Senate standing Committee on Agriculture and the Senate standing Committee on Natural Resources for purposes of references in statutory and other documents. The Senate standing Committee on Ethics, Elections and Local Government shall constitute the successor committee to the Senate standing Committee on Ethics and Elections and the Senate standing Committee on Local Government.

(h) For purposes of references in statutes and other documents, the Senate standing Committee on Local Government shall constitute the successor committee to the Senate standing Committee on Ethics, Elections and Local Government regarding local government matters and the Senate standing Committee on Transparency and Ethics shall constitute the successor committee to the Senate standing Committee on Ethics, Elections and Local Government regarding ethics and election matters.

Rule 8. Special and Select Committees. Special and Select committees of the

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Senate and the Chairperson thereof shall be appointed by the President.

Rule 9. Standing Committees – Duties of Chairperson, etc. (a) The chairperson of each committee shall preside at all meetings of the committee. The chairperson may designate another member to preside in the absence of the chairperson and vice chairperson.

(b) The chairperson of each committee may call a special meeting of the committee when necessary.

(c) The chairperson shall have full charge of the committee.

(d) The chairperson of each committee shall cause minutes of each meeting of the committee to be prepared, subject to approval of the committee within 14 session days or by sine die adjournment, whichever is earlier. The Senate portion of the Legislature's website and the minutes shall show the name of the member, person, state or local agency, organization or entity that requested a bill or resolution for introduction, the action taken by the committee upon each bill or resolution considered and the amendments, if any, voted upon and the disposition of each, whether adopted or not. At the request of the author of a bill or resolution or any amendment to a bill or resolution, or on request of any member of the committee, the intent of the author shall be stated in the committee minutes. At the conclusion of each legislative session, copies of all committee minutes shall be filed with the Director of Legislative Administrative Services.

Rule 10. Vote in Senate Committee. At the time of taking any action upon any bill or resolution, any member of a committee may demand a division of the vote and the chairperson shall be required to record the number of votes for and against the action as a part of the minutes.

Rule 11. Committee Action on Bills and Resolutions. (a) A committee may recommend that the Senate act favorably, unfavorably or without recommendation upon any measure or may recommend amendments to measures referred to it which are germane to the subject of the measure. If a committee recommends amendments to a bill or resolution referred to it which strike out all of the material in the bill or resolution subsequent to the enacting clause or resolving clause and inserts new material, 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 or resolution as the sponsor. Committee recommendations shall be made by committee report to the Senate. Committee reports shall be signed by the chairperson, and shall be transmitted to the Senate not later than the second legislative day following the action of the committee.

(b) When a committee fails to report on any bill or resolution following reference to such committee, it may be withdrawn from the committee by an affirmative vote of 24 members of the Senate on a motion made as provided in this subsection. 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 Senate resolutions. Only one bill or resolution may be named in such a motion. The motion shall be read by the reading 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 Senate 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

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business General Orders.

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

Rule 12. Adversely Reported Bills and Resolutions. All bills or resolutions adversely reported shall go upon the Calendar for one day, under the head of Bills Adversely Reported. A motion to place an adversely reported bill (or resolution) under the order of business General Orders on the Calendar shall be made when the bill (or resolution) is upon the Calendar and shall be made when Introduction of Original Motions and Senate Resolutions is in order, and that motion shall then lie over until the next legislative day when the order of business Consideration of Motions and Senate Resolutions is reached, but if such motion is defeated once it shall not be renewed. If an adversely reported bill or resolution has been previously referred separately under Rule 32 (authorizing the reference of the same bill or resolution to two or more standing committees), then the motion shall be to return the adversely reported bill (or resolution) with the committee report attached to the next committee to which it was referred. If the motion to place the bill (or resolution) on the Calendar under the order of business General Orders or to return the bill (or resolution) to the next committee of reference shall prevail, then the words "Adversely Reported" shall be printed in a line underneath the title of the bill or resolution, and to prevail such motion shall require an affirmative vote of 24 members of the Senate.

Rule 13. When Bill or Concurrent Resolution Placed on General Orders. When a bill or a concurrent resolution to amend the constitution has been reported to the Senate by a committee with the recommendation that it pass or be adopted, it shall immediately be placed on the Calendar under the order of business General Orders.

Rule 14. Address the President – To Be Recognized – Speak But Twice on the Same Subject. Every Senator rising to debate or to present any matter shall address the President and shall not proceed until recognized. When two or more Senators shall address the President at the same time, the President shall name the Senator who is to speak first. No Senator, except for the Senator who is carrying a bill, resolution or report, shall speak more than twice on the same day on the same subject without leave of the Senate.

Rule 15. No Senator Shall Be Interrupted. No Senator, when speaking shall be interrupted except by a call to order by the presiding officer, or by a Senator through the presiding officer, desiring to ask a question. If a Senator speaking yields to a question, the interruption shall be confined solely to such question. Senators shall be referred to as "the Senator from _____" (naming the Senator's home county) followed by the Senator's title and name.

Rule 16. Personal Privilege. Senators raising a point of personal privilege shall confine themselves to remarks which concern themselves personally and shall not address or debate matters under consideration by the Senate.

Rule 17. Questions of Order – How Determined. A question of order may be raised at any time and when a Senator shall be called to order the Senator shall stop speaking until the presiding officer has determined whether the Senator was in order. Every question of order shall be decided by the presiding officer, subject to an appeal to the Senate by any member. The vote on an appeal to the Senate under this rule shall not be a roll call vote. Every appeal on a question of order shall be taken without debate.

Rule 18. Explaining Votes. Senators may explain their votes only after every

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Senator first has had the opportunity to vote. Thereafter, an explanation of vote may be heard followed by the opportunity for any Senator to change their vote before the roll is closed and the tally of the vote is recorded. Not more than two minutes shall be allowed for any explanation. The explanation shall be inserted in the Journal if the Senator makes a request at the time of voting or makes a request of the Secretary of the Senate prior to adjournment, and the written explanation is presented to the Secretary of the Senate during or within two hours following that day's adjournment on the same legislative day. No Senator in explaining a vote may use the name of or otherwise identify any other Senator as part of the explanation without the consent of the other Senator. No written explanation shall contain more than 200 words. If the written explanation contains more than 200 words, only the first 200 words of the explanation shall be printed in the journal.

Rule 19. Vote Unless Excused – Contempt. Any Senator, who is directly interested in a question, may be excused from voting, even though there is a call of the Senate. The Senator, who is requesting to be excused from voting, shall state the reasons for the request, occupying not more than five minutes. Such statements shall be made either immediately before or immediately after the vote is called but before the result is announced. The question on excusing any Senator from voting shall be taken without debate and a majority of those voting shall be necessary to excuse the Senator. If a Senator refuses to vote, when not excused, such refusal shall constitute contempt and the President shall, in such case, order the offending Senator before the bar of the Senate and all privileges of membership shall be refused such Senator until the contempt is corrected as determined by vote of the Senate.

Rule 20. When Not Permitted to Vote. No Senator shall be allowed to vote unless the Senator is seated in the Senator's assigned seat within the Senate chamber when the vote is taken.

Rule 21. Filling Certain Vacancies. (a) When a vacancy occurs in the office of President and the Legislature is adjourned to a date more than 60 days after the occurrence of the vacancy, the Senate shall meet within 30 days and elect a member to fill the vacancy. The Vice President shall within 10 days of such occurrence issue a call for the 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 Vice President or majority leader of the Senate, and the Legislature is adjourned to a date more than 30 days after the occurrence of the vacancy, the President shall appoint an acting Vice President or acting majority leader to serve until the convening of the next session of the Legislature, at which time the vacancy shall be filled as though the acting interim appointment had not been made.

(c) When a vacancy occurs in the office of minority leader of the Senate and the Legislature is adjourned to a date more 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 as though the acting minority leader had not so served.

(d) It is the intention of this rule that any person elected, appointed or designated to serve in accordance herewith to fill a vacancy shall exercise all of the duties and powers of the office so filled.

Rule 22. Party Affiliation – Change. If any Senator changes political party

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affiliation: (1) From the political party of such Senator at the time of the Senator's election; or (2) if the Senator was appointed, from the political party of the district convention which elected such person to be so appointed, the following shall apply:

(a) Such Senator shall be removed from all memberships on standing and other committees, from all positions of chairperson or vice chairperson of a standing or other committee, and from any office of the Senate held at the time of such change. The Committee on Organization, Calendar and Rules shall appoint a Senator to fill any vacancy which arises under this subpart (a).

(b) The proportion of Senators from major political parties on each standing committee originally determined under Rule 7 (providing for proportional representation of members of political parties upon standing committees) shall not be altered. The Committee on Organization, Calendar and Rules shall fill each standing committee member position vacated by such Senator by appointing a Senator of the political party from which such Senator changed.

Rule 23. Open Meetings Provisions. The open meeting law (K.S.A. 75-4317 et seq., and amendments thereto) shall apply to meetings of the Senate and all of its standing committees, select committees, special committees and subcommittees of any of such committees. Caucuses of Senate majority and minority parties and meetings of the Committee on Organization, Calendar and Rules and its subcommittees may be closed.

Rule 24. Motions in Writing. All motions to amend bills and resolutions shall be made in writing, and upon request of any Senator shall be read by the reading clerk before being voted upon. All other motions shall be reduced to writing when desired by any Senator.

Rule 25. Motions Withdrawn. Any motion may be withdrawn by the maker before amendment or decision is made thereon except as the foregoing is modified by Rule 40 (relating to procedure in the committee of the whole).

Rule 26. Motions in Order When Question Under Debate. When a question is under debate, no motion shall be in order, except:

Not Debatable

1. To fix time to which to adjourn.
2. To adjourn.
3. To lay on the table.
4. For the previous question.
5. To recess to a time certain.

Debatable

6. To postpone to a day certain.
7. To commit to a standing committee.
8. To commit to a special committee.
9. To commit to the Committee of the Whole.
10. To amend.
11. To postpone indefinitely.

The several motions specified in this rule shall have precedence in the order named and the first five shall be decided without debate.

Rule 27. Division of Question. (a) If the question in debate contains several points, any Senator may have the same divided, but a motion to strike out and insert shall be indivisible. When a bill or resolution is under consideration in the Senate and after

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debate is concluded and final action has been announced on the bill or resolution, a request for division of question shall not be in order.

(b) A request for division of question shall be in writing specifying the manner in which the question is to be divided.

(c) The rejection of a motion to strike out and insert 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 28. Reconsideration of Pending Matters. When a question has been once put and decided it shall be in order for any Senator who voted with the prevailing side to move for a reconsideration thereof, but no motion for reconsideration of any vote shall be in order after the bill, resolution, message, report, amendment or motion, upon which the vote was taken, shall have gone out of the possession of the Senate, nor shall any motion for reconsideration be in order unless made on the same day on which the vote was taken or the next legislative day. No question shall be reconsidered more than once.

Rule 29. Previous Questions. Ten Senators shall have the right to move the previous question on any bill, resolution, message, report, amendment, or motion. If no amendment is pending the previous question shall be as follows: "Shall the main question be now put?" If the previous question is decided in the affirmative by a majority vote of those present, the main question shall be put without further amendment or debate. If amendments are pending a motion for the previous question shall concern only the last amendment that is pending on which, if the previous question is adopted, the debate will be closed only upon such amendment. The previous question on other questions than the main question shall be as follows: "Shall the question on the (amendment, amendment of an amendment, substitute or other motion affecting same as the case may be) now be put?"

Rule 30. Endorsement on Bills, etc. Before any bill, resolution or petition, addressed to the Senate, shall be received or read, the title of the bill or resolution or a brief statement of the contents of the petition shall be typed on the jacket, with the name of the Senator or committee introducing it.

Rule 31. Introduction of Bills and Concurrent Resolutions. Every bill and concurrent resolution shall be introduced by a Senator, by a committee, on the report of a committee, by message from the House of Representatives, or by proper prefiling as provided by law. For the purpose of introduction, every bill and concurrent resolution shall be placed in the possession of the secretary and the reading clerk shall read the title, except citations of statutes amended or repealed. The reading clerk shall also read the name of the sponsor of the bill or resolution if it has a single sponsor. If the bill or resolution has two sponsors the reading clerk shall read the names of both sponsors, but if the bill or resolution has more than two sponsors the reading clerk shall read the name of the first sponsor together with the words "and others."

Rule 32. Reference of Bills and Resolutions. All bills and resolutions shall be referred or rereferred to appropriate standing committees, special or select committees appointed under Rule 8 or the Committee of the Whole by the President. Upon the day of its introduction or upon the next legislative day, the President shall refer every bill and each concurrent resolution to be referred to the appropriate standing committee, special or select committees appointed under Rule 8 or the Committee of the Whole. Bills or resolutions prefiled under K.S.A. 46-801 et seq., and amendments thereto, may

be referred by the President to the appropriate standing committee, special or select committees appointed under Rule 8 or the Committee of the Whole at any time subsequent to the prefiling of such bill or resolution with the secretary of the senate. Bills introduced by committees, if germane to the purpose and scope of the committee, may be referred to the Committee of the Whole; otherwise to the appropriate standing committee or special or select committees appointed under Rule 8. All bills making an appropriation shall be referred to the Committee on Ways and Means. The President may refer a bill or resolution to two or more standing committees or special or select committees appointed under Rule 8, or any combination thereof, jointly, or separately, in such order as the President may direct, and such bill or resolution, when so referred, shall be considered by the committees in joint meeting, or by each of the committees separately in the order named in the reference, and when the reference is made jointly, the chairperson of the committee named first shall be chairperson of the joint committee.

Rule 33. Consent Calendar and Recording Reports. Whenever a standing committee is of the opinion that a bill or resolution upon which it is reporting is of non-controversial nature, it shall so state in its committee report. Whenever a bill or resolution is so reported, it shall be placed upon a separate calendar, to be known as the Consent Calendar. Each bill or resolution appearing on the Consent Calendar shall remain thereon for at least two full legislative days before being considered under the order of business Final Action. At any time prior to the call for the vote under the order of business Final Action on a bill or resolution on the Consent Calendar, any member may object to the same as being controversial and the same shall be stricken from the Consent Calendar and take its place on General Orders in the usual order. If no such objection is made prior to the call for such vote on the bill or resolution, it shall be voted upon with other bills and resolutions under the order of business Final Action but before consideration of other bills or resolutions appearing on the calendar under such order of business.

Rule 34. Final Action on Bills and Concurrent Resolutions. On final action on any bill or concurrent resolution, the reading clerk shall read the title, except citations to statutes amended or repealed. If the bill is reported for final action without debate, the question shall be at once put: "Shall the bill pass?" No debate shall be allowed, and no motion shall be in order except the motion for a call of the Senate, unless in case where a bill has been ordered to be placed on final action subject to amendment, or to amendment and debate or unless by the unanimous consent of the Senate, amendments may be made and considered. Like procedure shall apply to concurrent resolutions except that the question put shall be: "Shall the resolution be adopted?" On final action, bills and resolutions may be bulked together for roll call unless objection be made by any Senator.

Rule 35. Final Passage by Yeas and Nays. The question upon the final passage of a bill and every concurrent resolution for amendment of the constitution of Kansas or ratification of an amendment to the Constitution of the United States shall be taken by a roll call vote of the yeas and nays, which shall be entered on the Journal, and unless the bill or concurrent resolution receives the number of votes required by the constitution to pass it, it shall be declared lost, except in cases provided for in Rule 36 (relating to the absence of a quorum).

Rule 36. No Quorum on Final Vote – Effect. If, on taking the vote on final action

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on a bill or concurrent resolution, it shall appear that a quorum is not present, then the bill or concurrent resolution shall retain its place on the Calendar and shall again be considered for final action when that order of business is again taken up by the Senate.

Rule 37. Roll Call Vote. A roll call vote shall be taken upon all questions upon the demand of five Senators.

Rule 38. Call of Senate – When Made – How Enforced. (a) A call of the Senate may be had upon the demand of five Senators, pending a roll call on the final passage of any bill or resolution, or on any motion to strike the enacting clause of a bill or the resolving clause of a resolution, or indefinitely postpone any bill or resolution, and before the result is announced. When a call is demanded, the President shall order the doors of the Senate to be closed and all members to be in their seats unless excused by the President. The President shall direct the Secretary to call the roll of the Senators and note the absentees, after which the names of the absentees shall be again called, and those for whose absence no sufficient excuse is given may be sent for and taken into custody by the Sergeant at Arms, or by Assistant Sergeants at Arms appointed for the purpose, and brought before the bar of the Senate, where unless excused by a majority of the Senators present, they shall be reprovved by the President for the neglect of duty.

(b) No motion to dispense with further proceedings under the call of the Senate shall be entertained until the President shall be satisfied that the Sergeant at Arms has made diligent effort to secure the attendance of the absentees.

Rule 39. Roll Call Votes. Every Senator in the Senate chamber when a roll call is taken shall respond when the Senator's name is called. If there is a call of the Senate, the Senator must vote Yea or Nay, except as provided in Rule 19 (Senators excused from voting if directly interested in the question). When there is no call of the Senate, the Senator may pass and shall be recorded in the Journal as present and passing. After the roll is completed and before the roll is closed, a Senator may change such Senator's vote. No vote shall be recorded and no change in vote may be made without unanimous consent of the Senate after announcement by the presiding officer that the roll is closed. No motion shall be in order during a roll call vote except as provided under Rule 34 for final action on bills and concurrent resolutions and except for a call of the Senate.

Rule 40. Committee of the Whole. On motion the Senate may go into Committee of the Whole. The President shall appoint a chairperson to preside over the Committee of the Whole. The rules of the Senate shall be observed in the Committee of the Whole, so far as applicable except that there shall be no limit on the number of times of speaking and Rule 38 (authorizing a call of the senate) shall not apply. A motion to lay on the table or a call for the previous question shall not be in order. No substitute motion to amend a bill or resolution shall be in order. A substitute motion to report a bill or resolution to the full Senate once made shall be decided subject only to debate and Rule 50 (motion to strike the enacting or resolving clause). A roll call shall be had on any question subject to the requirements of Rule 37.

Rule 41. No Quorum in Committee of the Whole – Procedure. If at any time, when in Committee of the Whole, it be ascertained that there is no quorum present, the chairperson shall immediately vacate the chair and report the fact to the President.

Rule 42. How Bills or Resolutions Considered – Committee of the Whole. Bills or resolutions shall be considered in Committee of the Whole in the following manner: The standing committee report shall first be considered and if it is adopted the bill or resolution 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, the bill or resolution, 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 considered, no amendment thereto shall be in order until the whole bill or resolution has been read through. After the original bill or resolution, together with standing committee amendments, has been considered section by section the chairperson shall announce "Amendments to the bill (or resolution) generally are in order," and amendments not before offered may be made to any part of the bill or resolution. A motion to amend the bill or resolution shall not be in order while a motion to strike the enacting clause or resolving clause is pending.

Rule 43. Amendments. (1) Amendments to bills shall be germane to the subject of the bill being amended, and the fact that an amendment is to a section in the same chapter of the Kansas Statutes Annotated as an existing section in the bill shall not automatically render the amendment germane. Amendments to concurrent resolutions for amendments of the constitution of Kansas or ratification of an amendment to the Constitution of the United States shall be germane to the subject of the resolution being amended.

(2) All amendments to bills or resolutions shall be submitted in writing on a form provided by the Senate or on a form substantially similar. All amendments to printed bills or resolutions shall specify the page and line number as shown on the printed bill or resolution. If a bill or resolution has not been printed, amendments must refer to the typed bill or resolution. All amendments adopted shall be recorded in the Journal. The action taken on all amendments, whether adopted or rejected, shall be recorded in the Journal. When a bill or resolution has been amended, it shall be engrossed before it is enrolled.

(3) In the case of amendment by substitute bill or by substitute concurrent resolution, motion shall be made to substitute a written bill or concurrent resolution for the bill or concurrent resolution under consideration.

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

(5) Unless by majority consent to correct an error in drafting, no 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. Those portions of a motion to amend a bill as described in this subsection shall be indivisible.

Rule 44. Report of Committee of the Whole Subject to Amendment – Time for. The report of the Committee of the Whole is subject to amendment to correctly reflect what has occurred in the Committee of the Whole by motions made at the time the report is offered for adoption by the Senate. When a bill is reported with the recommendation that the enacting clause be stricken, and the report is agreed to by the Senate, the bill shall be considered killed.

Rule 45. Motion for Committee of the Whole to Rise and Report Progress. A motion that the Committee of the Whole shall rise and report progress on any bill shall always be in order and shall be decided without debate, and the matter being considered shall be the first order of business at the next session of the committee, subject to such postponement as the subsequent Committee of the Whole may determine. After a

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motion to rise and report progress has been adopted, the Subcommittee on Calendar of the Committee on Organization, Calendar and Rules may change for the resumption of the current session of the Committee of the Whole the order of consideration of bills and resolutions.

Rule 46. Division of the Senate. Whenever a voice vote has been taken upon any question in either the Senate or the Committee of the Whole, any Senator may call for a division of the Senate or Committee of the Whole.

Rule 47. Bills and Resolutions to Final Action. When the Committee of the Whole shall favorably report a bill or resolution, and the report is adopted by the Senate, the bill or resolution shall be considered as ordered to the order of business Final Action. The vote upon the final passage of the bill shall not be taken on the same day on which the bill is placed on Final Action. Bills and resolutions to be sent to the House shall be properly corrected under the supervision of the Secretary of the Senate. The Secretary of the Senate is authorized to correct misspelled words, punctuation and "doublets" or repeated words when preparing bills, resolutions or other documents for signature by officers of the Senate and House.

Rule 48. Bills and Resolutions – Inclusion of Amendments. When a bill or resolution is amended, the Secretary of the Senate shall attach to the original copy all amendments made in the Senate. Substitute bills and substitute concurrent resolutions shall accompany the bill or concurrent resolution for which each is substituted. Upon passage, Senate bills or resolutions, including the original copy and amendments, shall be transmitted to the House.

Rule 49. Reports of Transmittals in Journal – Committee – Reports. Report of transmittal of bills and resolutions to the House shall be immediately entered upon the Journal.

Rule 50. Motion to Strike Enacting or Resolving Clause – Debate Limited. No Senator may speak more than twice on a motion to strike the enacting clause of a bill or the resolving clause of a resolution, and no other motion, except a motion to adjourn, shall be in order until the motion to strike the enacting clause or resolving clause has been decided by roll call vote.

Rule 51. Two-thirds Vote Not Necessary Except on Final Passage of Resolution. When a resolution requiring a vote of 2/3 of the Senate for adoption is under consideration, a vote of 2/3 shall not be needed to decide any question short of its final passage, except as provided by these rules.

Rule 52. Bills and Resolutions Considered in Regular Order. The Subcommittee on Calendar of the Committee on Organization, Calendar and Rules shall designate from day to day and from time to time the bills and resolutions to be considered that day and on the next legislative day, and the order of consideration fixed by this subcommittee shall not be changed, except by unanimous consent or by a 2/3 vote of all the members of the Senate then elected (or appointed) and qualified, if unanimous consent is refused, or as provided in Rule 44.

Rule 53. Changing Order on Calendar. Not more than one bill or resolution may be named in a motion to change the order of the Calendar, and on each motion no Senator except the Senator making the motion shall speak more than once, nor longer than two minutes.

Rule 54. Resolutions – Classes – Procedures Thereon. Resolutions shall be of the following classes: (1) Senate resolutions; and (2) Senate concurrent resolutions. In

acting on them, the Senate shall observe the following procedure:

(1) Senate resolutions shall be in writing, shall be read and shall lie over one day. Senate resolutions other than resolutions for the amendment of rules of the Senate shall not be printed unless ordered by the Senate. There shall be no roll call unless ordered. With the consent of the majority of Senators present and voting, either the requirement to read Senate resolutions or the requirement to lie over one day, or both, may be dispensed with.

(2) Senate concurrent resolutions shall be in writing, shall be read by title, and shall lie over one day. All Senate concurrent resolutions shall be printed, and shall require a roll call on motion to adopt. Propositions to amend the constitution shall be made by concurrent resolution and referred to the proper committee. Other concurrent resolutions may be referred to a proper committee by the President.

(3) Notwithstanding any other rule of the Senate to the contrary, no Senator shall request and be the primary sponsor of more than three Senate resolutions or concurrent resolutions which congratulate, commemorate, commend, honor or are in memory of any individual, entity or event during a legislative session of the Senate, except upon approval of the President.

All House concurrent resolutions, when in the Senate, shall follow the same procedure as Senate concurrent resolutions.

This rule shall not apply to resolutions relating to the business of the day, nor to resolutions for organization or adjournment.

Rule 55. Confirmation of Appointments by Governor or Other State Official.

All nominations or appointments made by the governor or other state official, which are subject to Senate confirmation, may be considered and acted upon by the Senate in either executive or regular session except that no final action thereon may be taken in executive session. When nominations or appointments are made by the governor or other state official for confirmation by the Senate, they shall, unless otherwise ordered by the President, be referred to appropriate committees by the President. Nominations or appointments referred to committees shall be returned to the Senate within 20 legislative days after the same are referred, together with a report thereon, unless additional time be granted by a majority vote of senators present. If the nomination or appointment is not returned to the Senate within the period of time specified for its return and additional time has not been granted, the nomination or appointment shall be considered to be returned to the Senate without recommendation on the next legislative day following the last day of the period of time specified for its return. Any such appointment may be considered and acted upon by the Senate at any time after the nomination or appointment is returned to the Senate. The chairperson of the committee which recommends for confirmation a nomination or appointment may speak more than twice on the same day on the subject of the nomination or appointment. No motion to confirm any such appointment or nomination shall be in order without the unanimous consent of the Senate until the nomination or appointment is returned to the Senate, unless one day's previous notice thereof is given in open session or by posting the appointments or nominations to be considered near the entrance to the Senate chamber. Appointments shall be confirmed by the Senate only by an affirmative vote of a majority of all members of the Senate then elected (or appointed) and qualified.

Rule 56. Admittance to Floor – Lobbying on Floor – Galleries. No person shall

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be admitted to the floor of the Senate except elective state officers; members of the Legislature; friends of the members of the Senate, upon invitation signed by the President and the Senator extending the invitation; former members of the Senate, officers and employees of the legislative branch, and members of the news media who are actually employed, and who have a card of admission from the President. The Senate by resolution, may issue such invitations as it desires. Persons so admitted must stay in the perimeter of the Senate chamber except with the express permission of a member of the Senate. No one registered with the Secretary of State as an agent or lobbyist may be on the floor of the Senate during the hours of 9:30 a.m. to 4:30 p.m. nor at the time the Senate is in session. No person, other than a state officer or employee of the legislative branch or legislator, shall discuss any measure with any Senator on the floor of the Senate during the time the Senate is in session. Any person who violates this rule or any person who shall gain admission to the floor of the Senate by false representation shall be forthwith ejected from the Senate chamber and thereafter be denied admission. No employee shall lobby for or against any measure pending in the Senate, and any employee violating this rule shall be forthwith discharged. Former members of the Senate may be introduced when on the floor, but no other introductions shall be made during the session of the Senate, except the President may announce the attendance of school students or other groups visiting the Senate.

Visitors shall be allowed in one or both galleries of the Senate in accordance with directions to the Sergeant at Arms from the President.

Rule 57. Electronic Devices; Photographic Record of Vote; Food and Drink. (a) The making of telephone calls in the galleries of the Senate is prohibited. Except for security personnel, the use of wireless electronic telecommunications devices emitting an audible sound or tone to announce or initiate communications in a committee room during any time when a committee or subcommittee is in session in the room, in the galleries during any time when the Senate is in session and in the Senate Chamber during any time the Senate is in session is prohibited. The use of video recorders, cellular devices used as a video recording device or other video equipment in the galleries is prohibited, except for the official live feed of Senate proceedings or as granted by permission of the President. Flash photography and the possession of food or drink in the galleries is prohibited.

(b) No photographic or similar record shall be made of the vote of any member upon any measure on which a division of the Senate has been called, except that any photographic or similar record made by the official live video feed of Senate proceedings, the credentialed media or as granted permission by the President shall be permitted.

(c) The gallery located above the offices of the President and the Majority Leader shall be considered the President's gallery. Enforcement of this rule in the President's gallery shall be subject to the discretion of the President.

Rule 58. Chairs of Senators. No person except a member of the Senate, shall occupy the chair of any Senator at any time except with the approval of and in the presence of a member of the Senate.

Rule 59. The News Media. Employees of the news media displaying a card of admission from the President may only occupy space designated for them in the Senate chamber. They shall be subject to all the rules of the Senate and shall conduct themselves with proper decorum while in the Senate chamber. They shall not lobby,

directly or indirectly, for or against any measure pending before the legislature.

Rule 60. Secretary of Senate – Duties. The Secretary of the Senate shall be appointed by the President. It shall be the duty of the Secretary to call the roll; report correctly the result of all votes; correct the Journal as may be directed by the Senate; read all bills, resolutions, petitions or other papers which the Senate may require; deliver all messages to the House of Representatives; certify all enrolled bills and present same to the President or Vice President of the Senate for signature; endorse upon every paper presented in the Senate the successive stages of action had thereon, and see that proper records are made of the transmission of every paper from one house to the other, or from one office to another; and attend generally to such other matters as the office may require. The Secretary of the Senate shall deliver to the printer all bills and other documents ordered to be printed and take the receipt of the printer therefor. In order to secure a uniform and systematic procedure, the following clerks and their assistants shall be under the supervision of the Secretary: Assistant Secretary of the Senate, Journal Clerks, Calendar Clerks, Enrolling Clerks, Bill Status Clerk, Reading Clerk and Bill Clerk.

Rule 61. Impeachment. The provisions of this rule shall apply to impeachment, and nothing in the rules of the Senate or in any statute shall impair or limit the powers of the Senate with respect to impeachment. In addition to other powers, the President shall possess the powers and perform the duties in this rule.

(1) The President shall call the Senate into session within 30 days of the receipt by the President of any request by a board of managers of the House of Representatives to lay articles of impeachment before the Senate.

(2) The Senate by a majority vote of the members then elected (or appointed) and qualified may adopt, amend or suspend rules applicable to trial of any impeachment.

(3) The President 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 Senate.

Rule 62. Sergeant at Arms – Duties. The Sergeant at Arms shall be appointed by the President, and shall serve under the President's direction, control and supervision and at the President's pleasure and shall execute all orders of the President or Senate. The Sergeant at Arms shall have the general supervision of the Senate Chamber, the cloak rooms, gallery and lobby, and shall preserve order within the chamber at all times. The Sergeant at Arms may arrest and take into custody any person gaining admission to the floor of the Senate through false representations or violation of Rule 56 (listing persons authorized to be admitted to the floor of the Senate). All violations shall be immediately reported to the President for action by the Senate. No person except those entitled to admittance on the floor of the Senate pursuant to Rule 56 (listing persons authorized to be admitted to the floor of the Senate) shall lounge or loaf in the Senate chamber when the Senate is not in session, and the Sergeant at Arms shall detail at least one assistant to remain in the chamber at all times when the same is open. The President may appoint and remove Assistant Sergeants at Arms to serve under the supervision of the Sergeant at Arms. All doorkeepers and night watchmen shall be Assistant Sergeants at Arms.

Rule 63. Requisitions for Printing. All requisitions upon the Director of Printing for calendars, bills, documents, and printed matter of any nature whatsoever, must be

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approved by the Director of Legislative Administrative Services.

Rule 64. Employees – Duties. All employees shall report each day to their respective supervisors. The Director of Legislative Administrative Services or some person designated by the director shall keep a record of the attendance of each employee. The supervisor of an employee may discharge the employee at any time. The word "employee" as used in this section shall include all persons employed by the Senate, except the secretaries of each of the members of the Senate and except the Secretary of the Senate and Sergeant at Arms, which officers may be removed by the President of the Senate.

Rule 65. Pages. Not more than 20 pages shall serve during any legislative day. Appointments shall be restricted to boys and girls of middle school, junior high or high school age.

Rule 66. Secretaries to Members. Each Senator shall be entitled to select a secretary and shall inform the Director of Legislative Administrative Services of the selection. The secretaries shall not be paid for time they are not in attendance unless excused by their respective Senators. From the convening of the Senate until adjournment on any day, except during recesses, no Senator's secretary shall be stationed at the Senator's desk, except that this provision shall not apply to the administrative assistant designated by the President.

Rule 67. Suspension of Rules. (a) A motion to suspend the rules may be made and considered under any order of business. A 2/3 affirmative vote of all Senators then elected (or appointed) and qualified shall be required for its adoption. The motion shall be decided without debate.

(b) A motion to declare an emergency, suspend the rules, and advance a bill to Final Action shall be considered as one motion. It may be made and considered immediately under any order of business, and be debatable on the question of the emergency. A 2/3 affirmative vote of all Senators then elected (or appointed) and qualified shall be required for its adoption.

(c) A bill advanced to Final Action under subsection (b) which is not considered during the legislative day on which it is advanced to Final Action shall be placed on the next legislative day on the Calendar under the order of business General Orders.

Rule 68. Amendments to Rules. No rule of the Senate shall be adopted, amended or revoked without a 2/3 affirmative vote of all members of the Senate then elected (or appointed) and qualified, and no motion to adopt, amend or revoke any rule of the Senate shall be in order without the unanimous consent of the Senate, unless one day's previous notice thereof shall be given in open session.

Notwithstanding any provision of the rules of the Senate to the contrary, no notice shall be required for the adoption of a resolution adopting, amending or revoking any one or more rules of the Senate 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 Senators then elected (or appointed) and qualified, subject to the following conditions: (1) The resolution is sponsored by the President or any three Senators, and (2) either (a) a copy thereof is emailed to each Senator 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 e-mailing copies of the resolution are made available to Senators on the first day of the legislative session and Final Action is taken on the second legislative day.

Rule 69. Robert's Rules of Order. In all cases where these rules or the joint rules of the Senate and House of Representatives do not apply, the rules of parliamentary law in Robert's Rules of Order Newly Revised, 11th edition, shall govern.

Rule 70. Number Designation of Substitute Bills and Substitute Concurrent Resolutions. (a) Whenever a substitute bill is recommended by a committee report, and whenever a substitute bill is approved by amendment from the floor, the substitute bill shall be printed as provided for bills introduced, and the bill number designation shall be substantially as follows:

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

(b) Whenever a substitute concurrent resolution is recommended by a committee report, and whenever a substitute concurrent resolution is approved by amendment from the floor, the substitute concurrent resolution shall be printed as provided for concurrent resolutions introduced, and the resolution number designation shall be substantially as follows:

(1) In the case of concurrent resolutions substituted for Senate concurrent resolutions, "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.

(2) In the case of concurrent resolutions substituted for House concurrent resolutions, "Senate 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.

Rule 71. General Rule Not to Read Amendments. Amendments to bills or resolutions shall not require readings as for bills introduced or resolutions introduced, except as otherwise provided in Rule 72 (subject matter of bill or resolution materially changed by senate amendment) or Rule 73 (subject matter of senate bill or resolution materially changed by house amendment).

Rule 72. Subject Change by Senate. Whenever an amendment adopted by the Senate has materially changed the subject of a bill or resolution, the title of the bill or resolution so amended shall be read in the manner prescribed for the introduction of bills or resolutions, and take its place upon the Calendar under the order of business Final Action.

Rule 73. Subject Change by House. Whenever the House adopts amendments to a Senate bill or senate concurrent resolution which materially changes its subject, upon return of such bill or resolution to the Senate, the title of such bill or resolution shall be read in the manner prescribed for the introduction of bills or resolutions and such bill or resolution shall be referred as provided in Rule 32 (reference of bills and resolutions).

Rule 74. Determination of When Subject of Bill or Resolution Materially Changed. The President may determine when a bill or resolution is subject to Rule 72 (subject matter of bill or resolution materially changed by senate amendment) or Rule 73 (subject matter of senate bill or senate concurrent resolution materially changed by house amendment). The President's determination under this rule, that a bill or

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resolution has been materially changed is subject to an appeal to the Senate by any member. A 2/3 vote of the members of the Senate present and voting shall be required to overturn the ruling of the chair. The vote on an appeal to the Senate under this rule shall not be a roll call vote. Every appeal under this rule shall be taken without debate.

Rule 75. Executive Reorganization Orders. When an executive reorganization order is received from the Governor, it shall be referred to an appropriate committee by the President. The committee to which an executive reorganization order is referred shall report its recommendations thereon, by recommending adoption of a Senate resolution, not later than the 60th calendar day of any regular session and not later than 30 calendar days after it has received such referral whichever occurs first. If a committee fails to report upon an executive reorganization order within the time specified in this rule, such committee shall be deemed to have returned the same to the Senate without recommendation. When a report or return of an executive reorganization is made, it and all resolutions for approval or disapproval thereof shall be made the special order of business in accordance with Rule 6 (special order of business) at a time not later than the last day the executive reorganization order may be disapproved under section 6 of article 1 of the Constitution of Kansas. The Senate shall act to approve or reject every reorganization order unless at the time set for such action the House of Representatives shall have already rejected such executive reorganization order.

Rule 76. Censure or Expulsion. Whenever three or more Senators desire to lodge a complaint against any other Senator requesting that the Senator be censured or expelled for misconduct, the complaining Senators shall sign and file a written statement of such complaint with the Secretary of the Senate. In such event, the President shall appoint a select committee for consideration thereof composed of five Senators, no more than three of whom shall be members of the same political party, and none of whom shall have signed the complaint to be considered. The select committee may dismiss the complaint after inquiry or may set the matter for hearing. Reasonable notice and an opportunity to appear shall be afforded the Senator against whom a complaint has been filed. Select committees meeting under authority of this section shall be authorized to meet and exercise compulsory process without further authorization, subject only to the limitations and conditions prescribed in article 10 of chapter 46 of Kansas Statutes Annotated. Upon completing its hearing and deliberations thereon the select committee may dismiss the complaint or may submit a recommendation to the full Senate for censure or expulsion, and upon receiving such report the Senate may without further hearing or investigation censure or expel the member against whom the complaint was filed. Censure or expulsion of a Senator under this rule shall require a 2/3 majority vote of those members elected (or appointed) and qualified.

Rule 77. Taking from the Table. The affirmative vote of a 2/3 majority of all Senators then elected (or appointed) and qualified shall be required for the adoption of a motion to take any question or proposition from the table after the adoption of a motion to table or lay such question or proposition on the table. The provisions of this rule shall apply to motions both in standing committees and the Senate.

Rule 78. Placing Material on Members' Desks. No items or material shall be placed upon the desk of any member of the Senate unless any such item or material bears the signature or name of the Senator responsible for its distribution. This Rule 78 shall not apply to items or material provided by legislative staff, the Governor or state agencies.

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Rule 79. Decorum. During the time the Senate is in session professional dress is required on the floor of the Senate.

**JOINT RULES OF THE SENATE AND
HOUSE OF REPRESENTATIVES
2023-2024**

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

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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.

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(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 January 30, 2023, during the 2023 regular session and on January 29, 2024, during the 2024 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 8, 2023, during the 2023 regular session and on February 7, 2024, during the 2024 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 6, 2023, during the 2023 regular session and on February 5, 2024, during the 2024 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 10, 2023, during the 2023 regular session and on February 9, 2024, during the 2024 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 February 24, 2023, during the 2023 regular session and on February 23, 2024, during the 2024 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 29, 2023, during the 2023 regular session and on March 28, 2024, during the 2024 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.

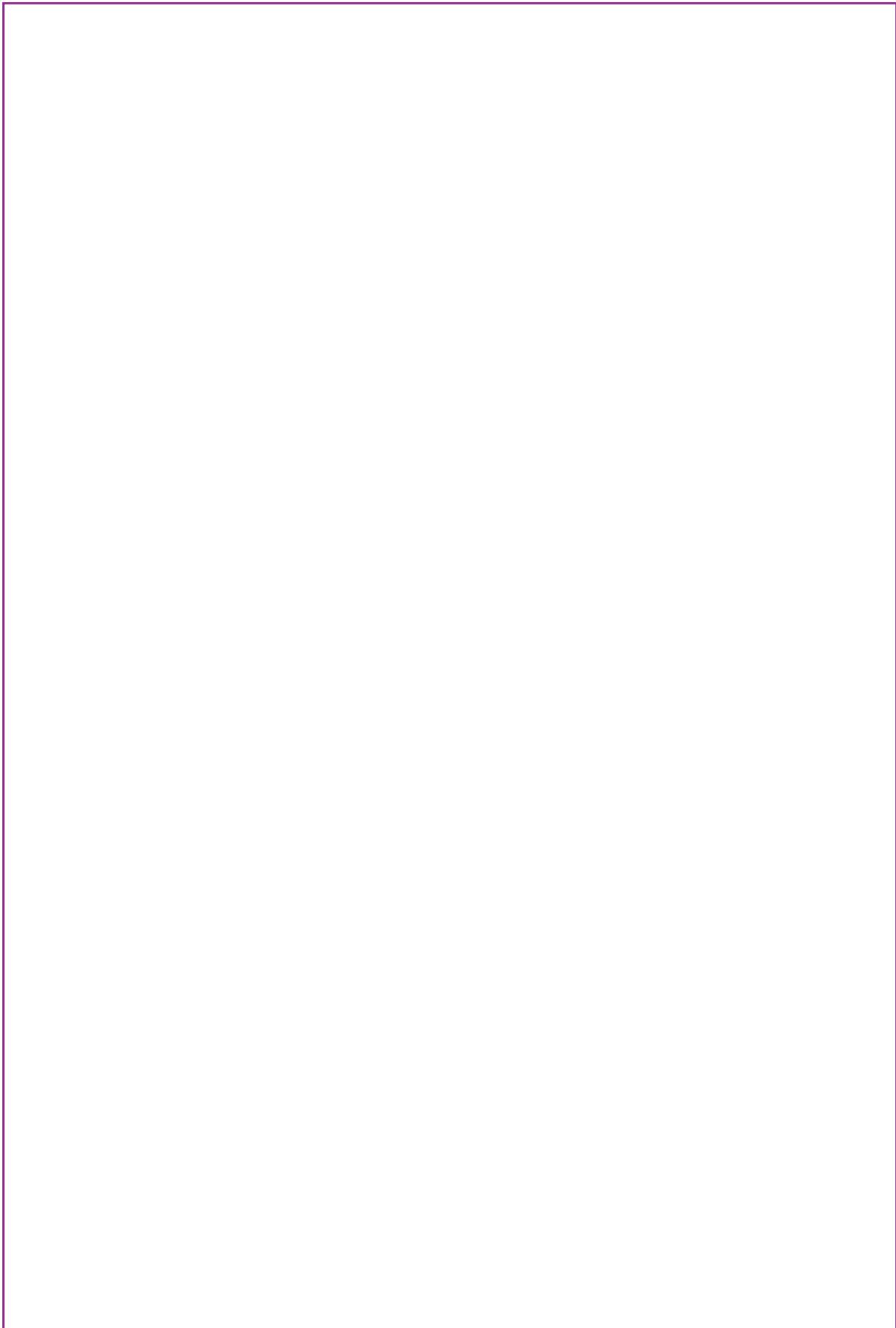
(i) *Bills introduced in odd-numbered years after deadlines; effect.* Bills may be introduced by members and committees in regular sessions occurring in an odd-numbered year after the times prescribed in (b) and (d) of this rule, but there shall be no final action thereon by either house during the session 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 6, 2023, during the 2023 regular session and after April 5, 2024, during the 2024 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.



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Journal of the Senate

FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, January 9, 2023, 2:00 p.m.

In accordance with the provisions of the Constitution of the State of Kansas and by the virtue of his office as President of the Senate, Senator Ty Masterson declared the 2023 Senate to be in session.

President Masterson welcomed Reverend Cecil T. Washington, Jr., who will again serve as the Senate Chaplain. Reverend Washington delivered the following invocation:

Invocation by Reverend Cecil T. Washington:

“The Wind Power To Elevate”

Heavenly Father, You are Lord of Heaven and Earth. There is no power or authority that is greater. All of it actually comes from You. Therefore, as we tackle this new year and take on new responsibilities, our need and our desire is to be in harmony with You. For if we're not in harmony with You, we're in trouble.

For this new beginning to be followed by a good middle and result in a good ending, we need You, Lord, to infuse us with Godly convictions and the courage to stand for them. That's why You tell us in Proverbs 14:34 that Godliness elevates us, while unGodliness brings us down.

Like a kite has to fully depend on the wind, when moving to a higher position, Lord, we must rely on the Holy Wind; the Breath of Your Holy Spirit. For Lord, if You don't lift us and sustain us, we will surely fall.

So Lord, the prayer at the beginning of this season, is that from start to finish, throughout every session; throughout every meeting and everything we do, a great movement of Your Lordship will prevail.

I pray this in the precious Name of Jesus. Amen!

The Pledge of Allegiance was led by President Masterson.

OATH OF OFFICE

President Masterson requested Senator Larry Alley escort Senator Ron Ryckman and Chase Blasi to the front of the Senate. The President introduced the Honorable Eric S. Rosen, Justice, Supreme Court of Kansas, who administered the Oath of Office.

OATH OF OFFICE
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 State Senator. So help me God.

Subscribed and sworn to, or affirmed, before me this 9th day of January 2023.

Eric S. Rosen

Justice of the Supreme Court

The roll was called with 37 senators present.

Senators Gossage and Steffen were excused.

INTRODUCTION OF GUESTS

Senator Masterson introduced Dr. Debra Doubek, President of the Kansas Academy of Family Physicians, and thanked the Academy for providing the Doctor of the Day Program in the Statehouse during the 2023 Legislative Session.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 1, AN ACT concerning consumer protection; relating to terms of service; authorizing civil penalties under the Kansas consumer protection act for social media websites; prohibiting censorship of certain speech made via such websites, by Senator Steffen.

SB 2, AN ACT concerning drivers' licenses; authorizing certain individuals with revoked licenses to be eligible for restricted driving privileges; amending K.S.A. 8-2110 and repealing the existing section, by Senator Faust Goudeau.

SB 3, AN ACT designating *Silvisaurus condrayi* as the official state land fossil, by Senator Bowers.

SB 4, AN ACT concerning sales taxation; relating to exemptions; providing an exemption for purchases for the construction or repair of buildings used for human habitation by the Kansas state school for the blind and the Kansas state school for the deaf; amending K.S.A. 2022 Supp. 79-3606 and repealing the existing section, by Senator Fagg.

SB 5, AN ACT concerning health and healthcare; related to the Kansas telemedicine act; prohibiting the prescribing of medications intended to induce an abortion via telemedicine; restricting the power of the governor during a state of emergency to alter such abortion prohibitions; amending K.S.A. 40-2,215 and K.S.A. 2022 Supp. 48-925 and repealing the existing sections, by Senator Steffen.

SB 6, AN ACT concerning infectious or contagious diseases; relating to the secretary of health and environment and local health officers; restricting the powers thereof; repealing authority of the secretary to order individuals to isolate or quarantine and impose associated penalties therefor; amending K.S.A. 65-116g, 65-118, 65-119, 65-128, 65-129b and 65-129d and K.S.A. 2022 Supp. 65-101, 65-202 and 72-5180 and repealing the existing sections; also repealing K.S.A. 65-126, 65-127, 65-129 and 65-129c, by Senator Steffen.

SB 7, AN ACT concerning income taxation; relating to resident individuals; reducing tax rates for individuals domiciled in a rural equity decline county; amending K.S.A. 2022 Supp. 79-32,110 and repealing the existing section, by Senator Steffen.

SB 8, AN ACT concerning property taxation; relating to personal property; reducing penalties for the late filing of or the failure to file statements listing property for assessment and the discovery of escaped property; amending K.S.A. 79-332a, 79-1422 and 79-1427a and repealing the existing sections, by Senator Steffen.

SB 9, AN ACT concerning the uniform controlled substances act; adding tianeptine to the substances in schedule I; amending K.S.A. 2022 Supp. 65-4105 and repealing the existing section, by Senator Steffen.

SB 10, AN ACT concerning members of the legislature; relating to compensation and retirement benefits therefor; increasing the daily rate of compensation for legislators first serving on or after January 13, 2025; eliminating the annualization of compensation for purposes of determining benefits and contributions under the Kansas public employees retirement system for legislators first serving on or after January 13, 2025; providing an election for the calculation of compensation and retirement benefits for legislators with service prior to January 13, 2025; amending K.S.A. 46-137a, 46-137c, 74-4915b, 74-4992, 74-4995 and 75-3212 and repealing the existing sections, by Senator Hawk.

SB 11, AN ACT concerning the state capitol; reauthorizing the permanent placement of a life-size version of the "Ad Astra" sculpture on state capitol grounds; transferring approval authority to the capitol preservation committee; making and concerning appropriations for the fiscal year ending June 30, 2023, for the department of administration; amending K.S.A. 75-2256 and repealing the existing section, by Senator Bowers.

SB 12, AN ACT concerning gender identity medical care; creating the crime of unlawful gender reassignment service and providing punishment therefor; providing grounds for unprofessional conduct for healing arts licensees; amending K.S.A. 65-2837 and repealing the existing section, by Senators Thompson and Steffen.

SB 13, AN ACT concerning schools; relating to the state high school activities association; contracts for exclusive broadcast coverage of postseason activities; permitting certain local broadcasters to cover a school's postseason activities notwithstanding such exclusive contracts, by Senators Hawk and Billinger.

Senators Masterson, Alley and Sykes introduced the following Senate Concurrent Resolution which was read in and adopted by voice vote:

SENATE CONCURRENT RESOLUTION No. 1601—

A CONCURRENT RESOLUTION informing the Governor that the two houses of the Legislature are duly organized and ready to receive communications.

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That the Secretary of the Senate and the Chief Clerk of the House of Representatives be appointed to wait upon the Governor and inform the Governor that the two houses of the Legislature are duly organized and are ready to receive any communications the Governor may have to present.

MESSAGES FROM THE GOVERNOR

The following appointments made by the Governor and submitted to the Senate for confirmation were introduced and their appointment letters read:

Erica Andrade, Public Member, State Board of Indigents' Defense Services (submitted: August 22, 2022)

Blake Benson, Regent, Kansas Board of Regents (submitted: August 16, 2022)

Michael Birzer, Public Member, State Board of Indigents' Defense Services (submitted: August 22, 2022)

Steven Bowser, Public Member, Pooled Money Investment Board (submitted: August 22, 2022)

Maurice Brewer, Attorney, Wyandotte County Attorney, State Board Of Indigent's Defense Services (submitted: December 6, 2022)

Pete Brungardt, At-Large Member, Kansas Lottery Commission (submitted: August 22, 2022)

John Dicus, Regent, Kansas Board of Regents (submitted: August 16, 2022)

Patricia Hudgins, Public Member, State Board of Indigents' Defense Services (submitted: August 22, 2022)

Talal Khan, Public Member, University of Kansas Hospital Authority (submitted: August 22, 2022)

Chrystal Krier, CD4 Public Member, State Civil Service Board (submitted: December 6, 2022)

Diana Mendoza, Regent, Kansas Board of Regents (submitted: August 16, 2022)

Jake Miller, CD3 Public Member, State Civil Service Board (submitted: December 6, 2022)

Rachel Pickering, Judge, Kansas Court of Appeals (submitted: August 29, 2022)

Alexandra "Nicki" Rose, Sedgwick County Attorney, State Board of Indigents' Defence (submitted: December 6, 2022)

Harold Schorn, Attorney Representative, Kansas Human Rights Commission (submitted: August 22, 2022)

Ruth Stevenson, CD3 Banker, State Banking Board (submitted: August 22, 2022)

Anne St. Peter, Public Member, University of Kansas Hospital Authority (submitted: August 16, 2022)

Lea Tatum-Haskell, Public Member, State Banking Board (submitted: August 22, 2022)

Patrick Walden, CD4 Banker, State Banking Board (submitted: August 22, 2022)

Ray Walling, State Librarian (submitted: August 16, 2022)

Donald (Rick) Wiley, Member, Public Employee Relations Board (submitted: August 22, 2022)

COMMUNICATIONS FROM STATE OFFICERS

The following appointment made by the Kansas State Board of Healing Arts and submitted to the Senate for confirmation was introduced and the appointment letter read:

Susan Gile, Executive Director (submitted: March 18, 2022)

COMMUNICATIONS FROM STATE OFFICERS

The following appointment made by the Attorney General and submitted to the Senate for confirmation was introduced and the appointment letter read:

Stu Hite, Member, Crime Victims Compensation Board (submitted: March 14, 2022)

REFERENCE OF APPOINTMENTS

President Masterson referred the following appointment made by the Governor and submitted to the Senate for confirmation to Committee as indicated:

Judge - 6, Kansas Court of Appeals:

Rachel Pickering

(Committee on Judiciary)

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Masterson, Alley and Sykes introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1701—

A RESOLUTION relating to the organization of the Senate.

Be it resolved by the Senate of the State of Kansas: That the Secretary of the Senate notify the House of Representatives that the Senate is organized with the following officers:

Ty Masterson, president,
Rick Wilborn, vice president,
Larry Alley, majority leader,
Dinah Sykes, minority leader,
Corey Carnahan, secretary,
Don Cackler, sergeant at arms,
and awaits the pleasure of the House of Representatives.

On emergency motion of Senator Alley **SR 1701** was adopted by voice vote.

Senators Masterson, Alley and Sykes introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1702—

A RESOLUTION relating to assignments of seats of the Senate.

Be it resolved by the Senate of the State of Kansas: That the permanent seats of the Senate are hereby assigned as follows: Alley 24, Baumgardner 29, Billinger 1, Blasi 14, Bowers 28, Claeys 2, Corson 19, Dietrich 16, Doll 36, Erickson 30, Fagg 17, Faust-Goudeau 21, Francisco 8, Gossage 3, Haley 22, Holland 40, Holscher 6, Kerschen 34, Kloos 18, Longbine 32, Masterson 23, McGinn 27, Olson 26, O'Shea 13, Peck 15, Petersen 10, Pettey 37, Pittman 20, Pyle 5, Ryckman 35, Steffen 33, Straub 4, Sykes 38, Thompson 25, Tyson 31, Ware 7, Warren 12 and Wilborn 9. After being sworn in as the appointed replacement for district 13, which is being vacated by Senator Richard Hilderbrand, such replacement will be assigned to seat 11. After being sworn in as the appointed replacement for district 22, which is being vacated by Senator Tom Hawk, such replacement will be assigned to seat 39.

On emergency motion of Senator Alley **SR 1702** was adopted by voice vote.

Senators Masterson, Alley and Sykes introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1703—

A RESOLUTION concerning the rules of the Senate for 2021-2024; relating to standing committees; increasing the number of members on the committee on assessment and taxation.

Be it resolved by the Senate of the State of Kansas: That Rule 7 of the Rules of the Kansas Senate be amended to read as follows:

Rule 7. Standing Committees. (a) There shall be a standing committee named the Committee on Organization, Calendar and Rules which shall consist of three members, the chairperson of which shall be the president of the Senate, and the vice chairperson of which shall be the majority leader of the Senate. The Vice President of the Senate shall be a member of the committee. No bill or resolution other than resolutions adopting, amending or revoking rules of the Senate or Joint Rules of the Senate and House of Representatives, shall be introduced by or be referred to the Committee on Organization, Calendar and Rules.

(b) The following shall be the other standing committees:

	Number of members
1. Agriculture.....	9
2. Assessment and Taxation.....	9 <u>11</u>
3. Commerce.....	9
4. Confirmation Oversight.....	6
5. Education.....	9
6. Federal and State Affairs.....	9
7. Financial Institutions and Insurance.....	9
8. Interstate Cooperation.....	9
9. Judiciary.....	9
10. Local Government.....	11
11. Public Health and Welfare.....	9
12. Redistricting.....	9
13. Transparency and Ethics.....	11
14. Transportation.....	9
15. Utilities.....	11
16. Ways and Means.....	9

(c) The president of the Senate, with the advice of the majority leader and the vice president of the Senate, shall appoint the members of each committee, shall appoint the chairperson and vice chairperson or vice chairpersons thereof and shall designate the ranking minority member of each committee. The minority leader shall submit recommendations for the appointment of minority members to the standing committees of the Senate to the Committee on Organization, Calendar and Rules. The Committee on Organization, Calendar and Rules shall have a standing subcommittee on calendar which shall be the president of the Senate, the vice president of the Senate and the majority leader of the Senate. The Majority Leader shall be the chairperson of the subcommittee. The Committee on Organization, Calendar and Rules may establish such other subcommittees of the Committee on Organization, Calendar and Rules as the Committee deems appropriate.

(d) The Committee on Organization, Calendar and Rules shall have a standing subcommittee on rules which shall be the president of the Senate, the vice president of

the Senate, the majority leader of the Senate, one member of the Senate from the majority party appointed jointly by the president of the Senate, the vice president of the Senate and the majority leader of the Senate and one member who shall be the minority leader of the Senate or the designee of the minority leader. The chairperson of the subcommittee on rules shall be the vice president of the Senate. The subcommittee on rules shall consider rules questions arising during a convening of the Senate.

(e) The Committee on Organization, Calendar and Rules and all of its subcommittees may close their meetings.

(f) The two major political parties shall have proportional representation on each standing committee other than the Committee on Organization, Calendar and Rules. In the event application of the preceding sentence results in a fraction, the party having a fraction exceeding 0.5 shall receive representation as though such fraction were a whole number.

(g) The Senate standing Committee on Agriculture and Natural Resources shall constitute the successor committee to the Senate standing Committee on Agriculture and the Senate standing Committee on Natural Resources for purposes of references in statutory and other documents. The Senate standing Committee on Ethics, Elections and Local Government shall constitute the successor committee to the Senate standing Committee on Ethics and Elections and the Senate standing Committee on Local Government.

(h) For purposes of references in statutes and other documents, the Senate standing Committee on Local Government shall constitute the successor committee to the Senate standing Committee on Ethics, Elections and Local Government regarding local government matters and the Senate standing Committee on Transparency and Ethics shall constitute the successor committee to the Senate standing Committee on Ethics, Elections and Local Government regarding ethics and election matters.

On emergency motion of Senator Alley **SR 1703** was adopted by voice vote.

COMMUNICATIONS FROM STATE OFFICERS

Secretary of the Senate Corey Carnahan submitted a letter to the Office of the Senate President listing the following communications received during the 2022 Interim:

Annual Report of the Pooled Money Investment Board for Fiscal Year 2022;

2021 Annual Report of the Consumer Protection and Antitrust Division, Kansas Attorney General;

2022 Annual Report of the Kansas State Child Death Review Board, Kansas Attorney General;

2022 Annual Report of the Abuse, Neglect and Exploitation Unit, Kansas Attorney General;

2021-2022 Energy Council Year in Review;

Johnson County Educational Research Triangle Authority Annual Report;

Governmental Ethics Commission's 2022 Annual Report;

Kansas Juvenile Justice Oversight Committee 2022 Annual Report;

Kansas Development Finance Authority Annual Report;

Central Interstate Low Level Radioactive Waste Compact Annual Reports for Fiscal Years 2019 through 2022;

Juvenile Justice and Education Annual Report for 2022-23, Kansas State Department of Education;

Capital Improvement State Aid Requests Annual Report, Kansas State Department of Education;

Information Relating to School Safety and Security, Kansas State Department of Education;

Kansas Corporation Commission FY 2022 in Review;

Kansas Corporation Commission Abandoned Oil and Gas Well Status Report;

Kansas Corporation Commission Land-Spreading Procedures and Costs Report;

Kansas Corporation Commission Remediation Site Status Report;

Kansas Corporation Commission Utilities and Common Carriers Report;

Kansas Corporation Commission Electric Supply and Demand Biennial Report; and

Kansas Employment First Oversight Commission 2022 Recommendations.

From the Office of Governor Laura Kelly:

Executive Directive Nos. 22-555, 22-556, 22-558, 22-559, 22-561, and 22-563;

Authorizing Expenditure of Federal Funds

Executive Directive Nos. 22-554, 22-557, and 22-562; Authorizing Personnel Transactions

Executive Directive Nos. 22-552, 22-553, and 22-560; Authorizing Personnel Transactions and Authorizing Expenditure of Federal Funds

Executive Orders 22-05 through 22-10

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Tuesday, January 10, 2023.

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SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, January 10, 2023, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 38 senators present.
Senator Gossage was excused.
The invocation was offered by Reverend Cecil T. Washington.
The Pledge of Allegiance was led by Vice President Wilborn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 14, AN ACT concerning insurance; relating to risk-based capital requirements; updating the version of instructions in effect; amending K.S.A. 2022 Supp. 40-2c01 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 15, AN ACT concerning insurance; relating to penalties; failure of agents or brokers to pay premiums; removing the requirement of a documented written demand for premiums as part of a prima facie case; amending K.S.A. 40-247 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 16, AN ACT concerning insurance; relating to third party administrators; discontinuing certain exemptions from the pharmacy benefits manager licensure act; amending K.S.A. 2022 Supp. 40-3821 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 17, AN ACT concerning insurance; relating to prepaid service plans; certificates of registration; discontinuing annual registration fees for such plans; modifying the requirement to report individuals who solicit memberships on behalf of such plans from semi-annually to annually and upon application for registration; amending K.S.A. 40-4209 and repealing the existing section; also repealing K.S.A. 40-4203, by Committee on Financial Institutions and Insurance.

SB 18, AN ACT concerning insurance; relating to insurance laws and enforcement thereof; adding certain legal entities to the definition of "person"; amending K.S.A. 40-2,125 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 19, AN ACT concerning insurance; relating to premium tax; adjusting the basis upon which certain premium tax calculations are made; requiring such premium taxes to be paid 90 days after each calendar year and basing such premium taxes upon the gross premiums collected for the previous calendar year; amending K.S.A. 12-2624 and 44-588 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

SB 20, AN ACT concerning health and healthcare; relating to vaccine requirements; relating to child care facilities and elementary, secondary and public or private postsecondary educational institutions; prohibiting an inquiry into the sincerity of a request for an exemption from vaccine requirements; repealing the meningitis vaccine requirement to live in student housing; amending K.S.A. 65-508 and 72-6262 and K.S.A. 2022 Supp. 44-663 and repealing the existing sections; also repealing K.S.A. 76-761a, by Senators Steffen and Thompson.

SB 21, AN ACT concerning sales taxation; relating to exemptions; providing an exemption for sales of certain school supplies during an annual sales tax holiday, by Committee on Assessment and Taxation.

SB 22, AN ACT concerning sales taxation; relating to exemptions; providing an exemption for certain purchases and sales by the Johnson county Christmas bureau association; amending K.S.A. 2022 Supp. 79-3606 and repealing the existing section, by Committee on Assessment and Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 4, SB 7, SB 8.**

Education: **SB 13.**

Federal and State Affairs: **SB 3.**

Judiciary: **SB 1, SB 9, SB 12.**

Public Health and Welfare: **SB 5, SB 6.**

Transportation: **SB 2.**

Ways and Means: **SB 10, SB 11.**

REFERENCE OF APPOINTMENTS

The following appointments made by the Governor and submitted to the Senate for confirmation, were referred to Committees as indicated:

Member - 1, State Board of Indigents Defense Services:

Maurice Brewer, to serve Term ends January 15, 2024.

Member - 4, State Board of Indigents Defense Services:

Alexandra (Nicki) Rose, to serve Term ends January 15, 2025.

(Committee on Judiciary)

Member - 4, State Civil Service Board:

Chrystal Krier, to serve Term ends March 15, 2026.

Member - 2, State Civil Service Board:

Jacob (Jake) Miller, to serve Term ends March 15, 2026.

(Committee on Federal and State Affairs)

MESSAGES FROM THE GOVERNOR

Enclosed is Executive Order 23-01 for your information (January 10, 2023)

COMMUNICATIONS FROM STATE OFFICERS

The following reports were submitted to the Senate and are on file with the Secretary of the Senate:

Department for Aging and Disability Services Kansas Client Assessment, Referral

and Evaluation (CARE) & Pre-Admission Screening and Resident Review (January 9, 2023)

Department of Health and Environment Kansas Water Pollution Control Revolving Fund Annual Report (January 9, 2023)

Department of Health and Environment Dry Cleaner Annual Report (January 9, 2023)

Department of Health and Environment Kansas Public Water Supply Loan Fund Annual Report (January 9, 2023)

KPERS Working After Retirement Annual Report (January 9, 2023)

Department of Education Tax Credit for Low Income Students Scholarship Program Annual Report (January 9, 2023)

Department of Health and Environment Pregnancy Maintenance Initiative Program Annual Report (January 9, 2023)

Department for Aging and Disabilities 988 Annual Report (January 9, 2023)

Coordinating Council 988 Annual Report 2023 (January 9, 2023)

Kansas Water Office Annual Report (January 10, 2023)

Department for Aging and Disability Services Transitional and Conditional Release of Persons Committed to the Sexual Predator Treatment Program Annual Report (January 10, 2023)

State Treasurer Annual Report (January 10, 2023)

State Department of Education report on Early Retirement Survey USD totals 2022 (January 10, 2023)

MESSAGE FROM THE HOUSE

Announcing adoption of **HR 6001**, a resolution relating to the organization of the 2023 House of Representatives and selection of the following officers:

Dan Hawkins, Speaker of the House

Blake Carpenter, Speaker Pro Tem

Chris Croft, Majority Leader

Vic Miller, Minority Leader

Susan Kannarr, Chief Clerk

Foster Chisholm, Sgt. At Arms

and awaits the pleasure of the Senate.

Announcing adoption of **HCR 5001**, a concurrent resolution providing for joint session of the Senate and House of Representatives for the purpose of hearing a message from the Governor and for the purpose of hearing a message from the Supreme Court.

The following escorts are appointed:

For the State of the State:

To escort the Governor: Representatives Francis, Waymaster and Susan Ruiz

To escort the Lt. Governor: Representatives Wasinger, Laura Williams and Weigel

To escort the Supreme Court: Representatives Patton, Schreiber and Osman

To escort the Senate: Representatives Blew, Sanders and Haswood

For the State of the Judiciary:

To escort the Supreme Court: Representatives Patton, Titus and Meyer

To escort the Senate: Representatives Neelly, Lewis and Featherston

Announcing adoption of **SCR 1601**, a concurrent resolution relating to a committee to wait upon the Governor and advise her the 2023 session of the Legislature is duly organized and ready to receive communication. The Secretary of the Senate and Chief Clerk of the House were appointed as to wait upon the Governor.

HCR 5001, A CONCURRENT RESOLUTION providing for joint sessions of the Senate and the House of Representatives for the purpose of hearing messages from the Governor and the Supreme Court, was introduced and read by title.

On emergency motion of Senator Alley, **HCR 5001** was adopted by voice vote.

Vice President Wilborn appointed the following escorts for the State of the Judiciary:
To escort the Supreme Court: Senators Warren and Corson.

REPORTS OF STANDING COMMITTEES

Committee on **Confirmation Oversight** begs leave to submit the following report:

The following appointments were referred to and considered by the committee and your committee recommends that the Senate approve and consent to such appointments:

By the Governor:

Member, Kansas Human Rights Commission: K.S.A. 44-1003

Harold Schorn, to fill a term expiring on January 15, 2026

Member, Kansas Lottery Commission: K.S.A. 74-8709

Pete Brungardt, to fill a term expiring on March 15, 2026

Member, Pooled Money Investment Board: K.S.A. 75-4221a

Steven Bowser, to fill a term expiring on March 15, 2026

Member, Public Employee Relations Board: K.S.A. 75-4323

Donald "Rick" Wiley, to fill a term expiring on March 15, 2026

Member, State Banking Board: K.S.A. 75-3004

Lea Tatum-Haskell, to fill a term expiring on March 15, 2025

Ruth Stevenson, to fill a term expiring on March 15, 2025

Patrick Walden, to fill a term expiring on March 15, 2025

Member, State Board of Indigents' Defense Services: K.S.A. 22-4579

Erica Andrade, to fill a term expiring on January 15, 2025

Michael Birzer, to fill a term expiring on January 15, 2025

Patricia Hudgins, to fill a term expiring on January 15, 2025

Member, State Board of Regents: K.S.A. 74-3202a

Blake Benson, to fill a term expiring on June 30, 2026

John Dicus, to fill a term expiring on June 30, 2026

Diana Mendoza, to fill a term expiring on June 30, 2026

Librarian, State Librarian: K.S.A. 75-2535

Ray Walling, to serve at the pleasure of the Governor

Member, University of Kansas Hospital Authority: K.S.A. 76-3304

Dr. Talal Khan, to fill a term expiring on March 15, 2026

Anne St. Peter, to fill a term expiring on March 15, 2026

By the State Board of Healing Arts

Executive Director, State Board of Healing Arts: K.S.A. 65-2812

Susan Gile, to serve at the pleasure of the Board

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By the Attorney General:

Member, Crime Victims Compensation Board: K.S.A. 74-7303
Stuart Hite, to fill a term expiring on March 15, 2026

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Wednesday, January 11, 2023.

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THIRD DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, January 11, 2023, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
Invocation by Doug Henkle.

Heavenly Father, I pray you bless each senator today and throughout this legislative session with Your wisdom and Your insight as they debate the issues before them.

I lift up President Masterson, Vice President Wilborn, Majority Leader Alley and Minority Leader Sykes to You. Give them Your direction as they lead this chamber. I pray for unity and friendly relations within this body as the issues of the day are debated and resolved and that each would expect the best from one another.

I pray for our Governor as she suffers from Covid. Heal her, Father. I pray that You would give her Godly wisdom and that she would follow Your direction as she leads the executive branch of our state's government.

Lord, people are often unreasonable, irrational and self-centered. I pray that we would forgive them anyway. If we're kind, people may accuse us of having selfish, ulterior motives. Cause us to be kind anyway. As we're honest and sincere, people may doubt us. I pray we would be honest and sincere anyway. As we find serenity and joy, some may be jealous. Give us Your joy anyway. Lord, the good we do today may soon be forgotten. I pray we would be about doing good anyway.

Oftentimes, we tend to allow others and our concern for their response to cause us to miss the mark. Jesus, I thank You that You can be our standard. That You can be the mark toward which we strive.

Father, I pray that at the end of the day the deliberations in the Kansas Senate would lead to sound decisions that would honor You and bless all Kansans. In Jesus' Name, Amen!

The Pledge of Allegiance was led by Vice President Wilborn.

OATH OF OFFICE

Vice President Wilborn requested Senator Dinah Sykes escort Usha Reddi to the front of the Senate. The Vice President introduced the Honorable Marla J. Luckert, Chief Justice, Supreme Court of Kansas, who administered the Oath of Office.

OATH OF OFFICE 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 State Senator. So help me God.

Subscribed and sworn to, or affirmed, before me this 11th day of January 2023.

Marla J. Luckert
Chief Justice of the Supreme Court

The roll was called with 37 senators present.
Senators Gossage and Holscher were excused.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 23, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; Kansas public employees retirement fund; investment standards; eliminating the statutory 15% alternative investment percentage limit thereto; requiring the board of trustees to set alternative investment percentage limit; amending K.S.A. 2022 Supp. 74-4921 and repealing the existing section, by Joint Committee on Pensions, Investments and Benefits.

SB 24, AN ACT concerning insurance; relating to coverage for autism spectrum disorder; changing the required number of employees contained in the definitions of "large employer" and "small employer"; amending K.S.A. 40-2,194 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 25, AN ACT concerning insurance; relating to premium tax; decreasing such tax rate imposed from 6% to 3% on surplus lines insurance; amending K.S.A. 40-246c and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 26, AN ACT concerning insurance; relating to health maintenance organizations and medicare provider organizations; applications for certificates of authority; specifying certain requirements necessary to demonstrate fiscal soundness; amending K.S.A. 40-3203 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 27, AN ACT concerning insurance; relating to the uniform insurance agents licensure act; public adjusters licensing act; authorizing the commissioner of insurance to set the amount of certain fees; requiring information obtained from background checks, fingerprinting and criminal history records checks be used solely for the purpose of verifying the identification of an applicant and the fitness of an applicant to be issued a license as an insurance agent; amending K.S.A. 40-4905, 40-4906 and 40-5505 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

SB 28, AN ACT concerning insurance; relating to certain group-funded insurance pools; discontinuing payments paid to the group-funded pools fee fund and the group-funded workers' compensation fee fund; transferring such balances and abolishing such funds; establishing the group-funded pools refund fund; refunding the balance thereof and abolishing such fund on July 1, 2024; amending K.S.A. 44-588 and repealing the existing section; also repealing K.S.A. 12-2623 and 44-587, by Committee on Financial Institutions and Insurance.

SB 29, AN ACT concerning sales taxation; relating to exemptions; providing an exemption for sales of school supplies, personal computers and clothing during an annual sales tax holiday, by Senators Peck, Bowers, Claeys, Doll, Faust Goudeau and

Petersen.

SB 30, AN ACT concerning income taxation; relating to deductions; increasing the Kansas standard deduction by a cost-of-living adjustment; amending K.S.A. 2022 Supp. 79-32,119 and repealing the existing section, by Committee on Assessment and Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 21, SB 22.**

Financial Institutions and Insurance: **SB 14, SB 15, SB 16, SB 17, SB 18, SB 19.**

Public Health and Welfare: **SB 20.**

CHANGE OF REFERENCE

Under the authority of the President, the Vice President withdrew **SB 1** from the Committee on **Judiciary**, and referred the bill to the Committee on **Federal and State Affairs**.

Under the authority of the President, the Vice President withdrew **SB 11** from the Committee on **Ways and Means**, and referred the bill to the Committee on **Federal and State Affairs**.

Under the authority of the President, the Vice President withdrew **SB 12** from the Committee on **Judiciary**, and referred the bill separately to the Committee on **Public Health and Welfare** and the Committee on **Judiciary**.

COMMUNICATIONS FROM STATE OFFICERS

The following reports were submitted to the Senate and are on file with the Secretary of the Senate:

Department for Aging and Disability Services Annual Report on 2022 **HB 2703**-Targeted Employment Act (January 9, 2023)

Emergency Medical Services Board 2022 Annual Report of Civil Fines Imposed and Subpoenas Issued (January 11, 2023)

State Employees Health Care Commission Annual Report (January 11, 2023)

POINT OF PERSONAL PRIVILEGE

Senator Reddi rose on a point of personal privilege to offer the following remarks: Thank you for the point of privilege. I'm very excited to be representing Riley County at the state level. I look forward to working with all of you as colleagues and friends. I would like to thank my family present here. Ravi Reddi, my son visiting from New York. He flew in this morning and will be leaving early tomorrow morning. Gavin Freeman, my son-in-law and Santhi Reddi, my daughter are here from Colorado Springs. They drove in close to midnight and will be leaving right after this. Finally, my husband, Brian Niehoff who is always very supportive of everything I do. Once again, thank you Senators I look forward to working with all of you.

REPORT ON ENROLLED BILLS

SR 1701, SR 1702, SR 1703 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on January 11, 2023.

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On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Thursday, January 12, 2023.

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FOURTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, January 12, 2023, 2:30 p.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 37 senators present.
Senators Claeys and Gossage were excused.
Invocation by Doug Henkle:

Our Father in Heaven, thank You for the privilege of coming before Your throne this afternoon as we seek Your direction for the blessing upon the deliberations of the Kansas Senate.

I pray that You would cause a bond of common purpose to unite this body and that You would bring about reconciliation and healing to any relationships that are not as You would have them be. Cause us to speak truth in love.

I ask that You give each member a positive attitude, that You would fill this chamber with Your spirit of hope in anticipation of what You will do in and through this body for Your glory and the betterment of all Kansans in this 2023 legislative session.

I pray for President Masterson, Vice President Wilborn, Majority Leader Alley and Minority Leader Sykes. Give them Your divine insight and direction as they lead this chamber.

I lift up the committee chairs and ranking minorities to You today as their work has begun for this session. Give them clarity of mind and Godly wisdom as they lead their committees. As hearings are held, I pray for each conferee offering testimony before each committee. I ask that their testimony would be clear, concise and accurate and that it would lead to sound decisions that would honor You and bless all Kansans.

Father, I thank You for the hope we have in You. Fill the Kansas Senate with Your peace and Your wisdom. In Jesus' name I pray!

The Pledge of Allegiance was led by President Masterson.

POINT OF PERSONAL PRIVILEGE

Senator Haley rose on a Point of Personal Privilege to deliver the following remarks: Twenty-nine years ago this week, as a freshman member of the Kansas House of Representatives, I was first privileged to evoke this annual plea and exhortation that we, members of the Kansas Legislature, truly witness and support the federal and state holiday recognizing the birth, and lifetime advocacies, of the Reverend Doctor Martin Luther King, Jr. I was nervous that day (my first public address as an elected legislator, you know) but I was emboldened by the preceding commentary on the biography of Dr. King brought by my new colleague who was greatly respected in the Chamber, the

Honorable Mike Farmer of Wichita. Now Mike, the Chair of the House Republican Campaign Committee among other things, and I didn't see eye-to-eye on too many issues at all! To say the least, he was hard core ultra conservative way before ultra-conservatism was cool!. But we were of one united spirit on this belief and remained committed until his untimely passing, from leukemia, in 2007. And we would offer this solid appeal together annually until I left to join the Senate in 2000. (Distributed our last House Journal from January 14,1999.) May God continue to bless your memory, Representative Mike Farmer of Kansas. Full disclosure, my father George W. Haley, who, as the first Black Kansan elected to the Kansas Senate and served in this Chamber in the socially-turbulent 1960's, I ever strove to emulate, was a classmate and friend to Martin Luther King Jr as I would be to his son, Martin Luther King III at our alma mater Morehouse College in Atlanta, Georgia. My father, Senator George Haley, and Marty's father, Dr. Martin Luther King resonated with the spirit of unity and brotherhood for all people in this America. Dad, though an attorney also, often said in his various remarks, something like: "The brotherhood of humankind presupposes that all of us should live together in this world in peace and in tranquility of purpose with one another. For how can any of us claim to love God, whom we have not seen, but hate our neighbor whom we have seen?" Too often, so often, in our country the true meaning of a holiday is lost; the Spirit of a celebration succumbs to being just another day "off" from work or school or other daily routine. Indeed, with perhaps the exception of our Independence Day (July the 4th) many holidays have taken on a new, non-related meaning such as how many gifts are exchanged or how much one can eat or nothing to do with the original Spirit. Today, I join various resolutions and echo passages of prayers from throughout the ages imploring us all to "have a more loving and compassionate society, with less hate and prejudice" and focus on what Dr. King said "Human progress is neither automatic nor inevitable. And every step towards the goal of justice requires sacrifice, suffering and struggle. It calls for the tireless, passionate concern of dedicated individuals." Indeed, the moral arc of the Universe bends towards Justice. And I submit, gentle colleagues, that Justice in a truly great, diverse State must somehow encompass inclusion and, ultimately, acceptance. So, Mister President; so elected member leaders ... members of the Kansas Senate, all, today once again I implore each of US, not just as pillars from within our individual Senate districts but uniting all within our Kansas communities to use the true meaning of this holiday as not just a day "off" but a day to live out the true meaning of an inspirational and decidedly unique American Holiday. As I have urged so often before from this seat of the MLK Holiday, often to unhearing ears or too hardened, non-receptive hearts, this concept, this often diminishing but societally civil reality, this tapestry of a strong, diverse Country is not the sole province of my political party or of yours. This celebration, this Spirit doesn't belong to my religion or to your religion, to my community or to yours. It isn't creed, or racial or economically based. No, Mister President. The Martin Luther King, Jr. Holiday belongs to us ALL. To the beauty of the "stir-fry" blend when combined produces our unique (though yet still somewhat dysfunctional, like any, family), AMERICAN culture! Please have a safe, reverent and evocative, King Holiday.

POINT OF PERSONAL PRIVILEGE

Senator Faust-Goudeau rose on a Point of Personal Privilege in remembrance of the January 16, 1965 Piatt Street Plane crash in Wichita, Kansas.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 31, AN ACT concerning municipal universities; relating to the membership of the Washburn university board of regents; reapportioning the districts of certain members thereof; amending K.S.A. 13-13a04 and 13-13a05 and repealing the existing sections, by Committee on Education.

SB 32, AN ACT concerning education; relating to the Kansas state high school activities association and the system for classification of high schools; authorizing the classification system to be based on student attendance and other factors; amending K.S.A. 72-7114 and repealing the existing section, by Committee on Education.

SB 33, AN ACT concerning income taxation; relating to Kansas adjusted gross income; eliminating the income limitation to receive the subtraction modification exempting social security benefits; amending K.S.A. 2022 Supp. 79-32,117 and repealing the existing section, by Committee on Assessment and Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 29**, **SB 30**.

Financial Institutions and Insurance: **SB 23**, **SB 24**, **SB 25**, **SB 26**, **SB 27**, **SB 28**.

COMMUNICATIONS FROM STATE OFFICERS

The following report was submitted to the Senate and is on file with the Secretary of the Senate:

Division of the Budget 2022 Annual Report for rules and regulations. (January 9, 2023)

REPORT ON ENROLLED BILLS

SCR 1601 reported correctly enrolled, properly signed and presented to the Secretary of State on January 12, 2023.

On motion of Senator Alley, the Senate adjourned pro forma until 9:00 a.m., Friday, January 13, 2023.

Journal of the Senate

FIFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, January 13, 2023, 9:00 a.m.

The Senate was called to order pro forma by Senator Brenda Dietrich.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 33**.

Education: **SB 31, SB 32**.

MESSAGES FROM THE GOVERNOR

Enclosed herewith is Executive Directive No. 22-564 (January 11, 2023)

TRIBUTES

The Committee on **Organization, Calendar, and Rules** authorizes the following tributes for the week of January 9 through January 13, 2023:

Senator Bowers: congratulating Brush Art Corporation on 60 Years in Business, congratulating Jesse and Anna Luna on being named the 2022 Kansas Farm Bureau's Farm Family of the Year for Rooks County, congratulating Dallas Fuller on being named the 2022 Kansas Farm Bureau's Farm Family of the Year for Mitchell County, celebrating Ted Thoman's 99th Birthday, congratulating Rich Baxter on receiving the 2022 University of Kansas Medical Center Clinical Instructor of the Year Award, congratulating Jessica Presler - Jamestown City Clerk - on receiving the 2022 Kansas Municipal Gas Agency Distinguished Service Award, congratulating Sue Rowland on receiving the 2022 K-State Extension Appreciation Award for Marshall County, congratulating the Smith County Pioneer newspaper on 150 Years in Business, congratulating the Bruna Implement Company on 75 Years in Business, congratulating Frankfort First National Bank on its 100th Anniversary, congratulating Midway Coop Inc. of Osborne on receiving the Kansas Department of Commerce North Central Kansas Agri Business Certificate of Merit, congratulating Shoes Etc. and Stonz Jewelry on receiving the Kansas Department of Commerce North Central Kansas Retail Service Certificate of Merit, congratulating Mick Creative Studios on receiving the Kansas Department of Commerce North Central Kansas Regional Retail/Service Award, congratulating Bri Hamel of Poppy and Marigold for receiving the Kansas Department of Commerce North Central Kansas Under 30 Entrepreneur/Business Person Award; and

Senator Pittman: commending the Leavenworth County NAACP for organizing the 2023 MLK Day of Service.

On motion of Senator Kloos, the Senate adjourned pro forma until 2:30 p.m., Tuesday, January 17, 2023.

Journal of the Senate

SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, January 17, 2023, 2:30 p.m.

The Senate was called to order pro forma by President Ty Masterson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 34, AN ACT concerning housing; relating to the Kansas rural housing incentive district act; expanding the availability of such districts to certain cities and the use of bond proceeds; amending K.S.A. 12-5241, 12-5242 and 12-5249 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 35, AN ACT concerning the legislature; relating to the compensation for members thereof; increasing the rate of compensation for service during regular and special sessions and the interim period between regular sessions; amending K.S.A. 46-137a and repealing the existing section, by Committee on Federal and State Affairs.

SB 36, AN ACT concerning the Kansas act against discrimination; relating to ancestry; including hair texture and protective hairstyles in the definition thereof; amending K.S.A. 44-1002 and 44-1015 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 37, AN ACT concerning taxation; relating to the Kansas housing investor tax credit act; expanding the transferability of income, privilege and premium tax credits issued under the act; amending K.S.A. 2022 Supp. 79-32,313 and repealing the existing section, by Committee on Federal and State Affairs.

SB 38, AN ACT concerning workers compensation; relating to an employer's maximum liability for permanent total disability; increasing the statutory limit for such liability; amending K.S.A. 44-510f and repealing the existing section, by Committee on Federal and State Affairs.

SB 39, AN ACT concerning the state capitol; relating to permanent displays and murals; directing the capitol preservation committee to develop and approve plans for a mural honoring the 1st Kansas (Colored) Voluntary Infantry regiment; creating the 1st Kansas (Colored) Voluntary Infantry regiment mural fund; amending K.S.A. 75-2264 and repealing the existing section, by Committee on Federal and State Affairs.

SB 40, AN ACT concerning income taxation; relating to Kansas adjusted gross income; providing a subtraction modification to permit the carryforward of certain net operating losses for individuals; amending K.S.A. 2022 Supp. 79-32,117 and repealing the existing section, by Committee on Assessment and Taxation.

SB 41, AN ACT concerning sales and compensating use taxation; relating to the collection and remittance of taxes; providing a credit to retailers, by Committee on Assessment and Taxation.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Wednesday, January 18, 2023.

Journal of the Senate

SEVENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, January 18, 2023, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 36 senators present.
Senators Claeys, Gossage and Holland were excused.
Invocation by Reverend Cecil T. Washington:

Love's Challenge: Same Battle, Same Bullets, Same Mud, Same Blood
Acts 17:26-31; 1 Corinthians 1:11

Heavenly Father, in challenging us with the need to love one another, You gave us the example of Dr. M. L. King, Jr.; that love for our neighbor is central to unity and peaceful coexistence. So, help us Lord, to overcome the challenge of love, having to love folk that are different; different in how we think, how we look and how we act. And sometimes, even those that are closest to us are a challenge to love.

But Lord, according to Acts 17:26-27, beginning with Adam, You made all of us different, yet all with the same need; to follow after You. So, Lord, help us in sustaining the battle, to overcome the pride of divisiveness, that we may lovingly unite under Your rule-ship.

Lord, let the spirit of this allegory register with each of us. In the military there was a squad of eight soldiers and like us, they were different; different in cultures, ethnic ties, religions and philosophies. But similarly, for the cause of freedom, they were in the thick of battle.

When the war ended, as different as they were, they were bosom friends for the rest of their lives. The story questions, how could folks so unlike each other, get to be so close? It was revealed that their focus was more on the fight that connected them than things dividing them.

They said, as we should say, "we're fighting the *Same Battles*, dodging the *Same Bullets*, crawling through the *Same Mud* and spilling the *Same Blood*."

So, Lord, bless us with the heart of Apostle Paul. In 1 Corinthians 11:1, he said follow his example, as he followed the example of Christ, the epitome of sacrificial love. I pray this prayer in His Name. Amen!

The Pledge of Allegiance was led by Vice President Wilborn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 42, 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, by Joint Committee on Special Claims Against the State.

SB 43, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2023, June 30, 2024, and June 30, 2025, for the university of Kansas medical center; relating to conducting certain clinical trials at the midwest stem cell therapy center, by Committee on Public Health and Welfare.

SB 44, AN ACT concerning financial institutions; relating to cybersecurity; enacting the Kansas financial institutions information security act; requiring certain covered entities to protect customer information; authorizing the state bank commissioner to adopt rules and regulations; providing penalties for violations of such act, by Committee on Financial Institutions and Insurance.

SB 45, AN ACT concerning the state children's health insurance program; relating to eligibility; updating income requirements therefor; amending K.S.A. 38-2001 and repealing the existing section, by Committee on Ways and Means.

SB 46, AN ACT concerning wind energy conversion systems; relating to aviation obstruction lighting; requiring existing wind energy conversion systems to install light-mitigating technology systems subject to the approval of the federal aviation administration, by Committee on Utilities.

SB 47, AN ACT concerning cities and counties; prohibiting the regulations of consumer merchandise and of auxiliary containers that are designed for the consumption, transportation or protection of consumer merchandise, by Committee on Commerce.

SB 48, AN ACT concerning postsecondary education; relating to the postsecondary technical education authority; authorizing community college and technical college appointments thereto; establishing the length of membership terms; making ex officio members non-voting; amending K.S.A. 74-32,401 and repealing the existing section, by Committee on Education.

SB 49, AN ACT concerning wind energy conversion systems; relating to aviation obstruction lighting; requiring new wind energy conversion systems to be constructed with light-mitigating technology systems prior to the commencement of operations subject to the approval of the federal aviation administration, by Committee on Utilities.

SB 50, AN ACT concerning consumer protection; relating to terms of service for social media websites; prohibiting censorship of certain speech made via such websites, by Senators Steffen, Straub and Thompson.

SB 51, AN ACT concerning financial institutions; relating to the technology-enabled fiduciary financial institutions act; definitions; authorizing the state bank commissioner to accept state and national criminal history record checks from private entities; amending K.S.A. 9-2301 and 9-2302 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

SB 52, AN ACT concerning income taxation; relating to Kansas adjusted gross income; increasing the income limit to qualify for the subtraction modification for social security benefits; providing a subtraction modification for certain amounts received from retirement plans; amending K.S.A. 2022 Supp. 79-32,117 and repealing the existing section, by Committee on Assessment and Taxation.

SB 53, AN ACT concerning sales taxation; relating to exclusions from the sales or selling price; excluding manufacturers' coupons; amending K.S.A. 2022 Supp. 79-3602c and repealing the existing section, by Committee on Assessment and Taxation.

SB 54, AN ACT concerning sales taxation; relating to rates; expanding the eligible uses for the 0% state rate for sales of certain utilities and providing for the levying of such tax by cities and counties; amending K.S.A. 12-189a and K.S.A. 2022 Supp. 79-3603 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 55, AN ACT concerning sales taxation; relating to exemptions; providing an exemption for sales of certain school supplies, computers and clothing during an annual sales tax holiday, by Committee on Assessment and Taxation.

SB 56, AN ACT concerning income taxation; relating to the determination of Kansas adjusted gross income; increasing the income limit to qualify for a subtraction modification for social security income; amending K.S.A. 2022 Supp. 79-32,117 and repealing the existing section, by Committee on Assessment and Taxation.

SB 57, AN ACT concerning taxation; relating to sales and compensating use tax; reducing the rate of tax on sales of food and food ingredients; providing an exemption for sales of children's diapers and feminine hygiene products; relating to STAR bonds; establishing the STAR bonds food sales tax revenue replacement fund and providing certain transfers thereto; altering the calculation for STAR bond districts; relating to income tax; discontinuing the food sales tax credit; amending K.S.A. 12-17,162 and K.S.A. 2022 Supp. 79-32,271, 79-3603, 79-3603d, 79-3606, 79-3620, 79-3703 and 79-3710 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 58, AN ACT concerning sales taxation; relating to exemptions; providing an exemption for certain purchases by disabled veterans of the armed forces of the United States, by Senators Peck, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Kloos and Pittman.

SB 59, AN ACT concerning days of commemoration; designating "Martin Luther King, Jr. Day at the Capitol.", by Senators Faust Goudeau and Haley.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 37**, **SB 40**, **SB 41**.

Commerce: **SB 34**, **SB 38**.

Federal and State Affairs: **SB 36**, **SB 39**.

Ways and Means: **SB 35**.

Under the authority of the President, the Vice President referred **SB 55** to the Committee on **Assessment and Taxation**.

CHANGE OF REFERENCE

Under the authority of the President, the Vice President withdrew **SB 37** from the Committee on **Assessment and Taxation**, and referred the bill to the Committee on **Financial Institutions and Insurance**.

Under the authority of the President, the Vice President withdrew **SB 34** from the Committee on **Commerce**, and referred the bill to the Committee on **Financial Institutions and Insurance**.

COMMUNICATIONS FROM STATE OFFICERS

The following reports were submitted to the Senate and are on file with the Secretary of the Senate:

- Kansas Board of Regents KTIP Report (January 13, 2023)
- Kansas Board of Regents KAN-ED Annual Report (January 13, 2023)
- Kansas Board of Regents Qualified Admissions Annual Report (January 13, 2023)
- Kansas Board of Regents Student Financial Assistance Programs Annual Report (January 13, 2023)
- Department of Wildlife and Parks Annual Report on Hunters Feeding the Hungry (January 17, 2023)
- Department of Education Career and Technical Education Report (January 17, 2023)
- Department of Credit Unions Annual Report (August 30, 2022)
- Office of the Attorney General Annual Report of Kansas Personal and Family Protection Act (December 15, 2023)

MESSAGE FROM THE HOUSE

Announcing adoption of **HCR 5003**, a concurrent resolution providing for joint session of the Senate and House of Representatives for the purpose of hearing a message from the Governor.

The following escorts are appointed:

For the State of the State:

- To escort the Governor: Representatives Francis, Waymaster and Susan Ruiz
- To escort the Lt. Governor: Representatives Wasinger, Laura Williams and Weigel
- To escort the Supreme Court: Representatives Patton, Schreiber and Osman
- To escort the Senate: Representatives Blew, Sanders and Haswood

HCR 5003, A CONCURRENT RESOLUTION providing for a joint session of the Senate and the House of Representatives for the purpose of hearing a message from the Governor, was introduced and read by title.

On emergency motion of Senator Alley, **HCR 5003** was adopted by voice vote.

Vice President Wilborn appointed the following Senators as escorts for the State of the State:

- To escort the Governor: Senators McGinn and Ware
- To escort the Lt. Governor: Senators Dietrich and Faust Goudeau
- To escort the Supreme Court: Senators Warren and Haley

REPORTS OF STANDING COMMITTEES

Your Committee on **Judiciary** begs leave to submit the following report:

The following appointment was referred to and considered by the committee and your committee recommends that the Senate approve and consent to such appointment:

By the Governor:

Judge, Court of Appeals: K.S.A. 2022 Supp. 20-3020

Rachel Pickering, to fill a term expiring on January 13, 2025

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Thursday, January 19, 2023.

Journal of the Senate

EIGHTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, January 19, 2023, 2:30 p.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 37 senators present.
Senators Gossage and Holland were excused.
Invocation by Reverend Cecil T. Washington:

Building Wisely vs Building Foolishly
Luke 6:46-49; Proverbs 3:5-7; Ephesians 2:20

Gracious Lord, in Luke 6:46-49, You raise this thought-provoking question. Why do people call out to You Lord, but then don't do what You say? You then give us a vision of the consequences.

When we *COME* to You, *LISTEN* to Your teaching and *FOLLOW*, it's like having a house that stands firm and strong against destructive forces because it's well built and positioned on solid rock. Lord, as our Master Architect and Building Consultant, You have given us, in Your Holy Word, the specifics to follow, as we formulate plans and move to carry them out.

In Proverbs 3:5-7, You promise to direct and guide us if we trust YOU instead of our own way of thinking and processing things. But when plans fail and what we're trying to build crumbles, I can hear You say, like my Grandmother used to say, "You didn't do what I told you to do!" And like the old cell phone commercial, "Can you hear Me now?"

Lord, we don't want our works to be shaky or unstable, but solid enough to stand in mighty ways. Down through generations, Your Word has been the consultant for success. Thank You for *NOT* leaving us to our frail human strategies.

Lord, I'm coming to You in the Name of Him, Who according to Ephesians 2:20, is the Master Bedrock for us to build upon. Amen!

The Pledge of Allegiance was led by President Masterson.

On motion of Senator Alley, the Senate recessed until the sound of the gavel.

The Senate met pursuant to recess with President Masterson in the chair.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 60, AN ACT concerning sales taxation; relating to exemptions; providing an exemption for custom meat processing services; amending K.S.A. 2022 Supp. 79-3606

and repealing the existing section, by Committee on Assessment and Taxation.

SB 61, AN ACT concerning taxation; relating to income tax rates; providing a 5% tax rate for individuals and corporations and providing that future tax rate decreases be contingent on exceeding revenue estimates; relating to privilege tax rates; decreasing the surtax; amending K.S.A. 79-1107 and 79-1108 and K.S.A. 2022 Supp. 79-32,110 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 62, AN ACT concerning securities; relating to financial exploitation and the protection of vulnerable adults therefrom; enacting the protect vulnerable adults from financial exploitation act; requiring reporting of instances of suspected financial exploitation under certain circumstances; providing civil and administrative immunity to individuals who report such instances; amending K.S.A. 17-12a412 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 63, AN ACT concerning elections; relating to the campaign finance act; expanding the scope of permitted uses of campaign contributions to include family caregiving services; amending K.S.A. 25-4157a and repealing the existing section, by Senators Corson, Blasi, Claeys, O'Shea, Pittman and Straub.

SB 64, AN ACT concerning certain statewide elected officials; prohibiting outside employment or income to the office holder or officer holder's family, by Senator Corson.

SB 65, AN ACT concerning abortion; authorizing cities and counties to enact local laws more stringent than state law regarding regulation of abortion; amending K.S.A. 65-6702 and repealing the existing section, by Committee on Federal and State Affairs.

SB 66, AN ACT concerning education; relating to teacher licensure; enacting the interstate teacher mobility compact; recognizing equivalent teacher licenses from other member states, by Committee on Education.

SB 67, AN ACT making and concerning appropriations for the fiscal year ending June 30, 2023, for the department of administration; authorizing certain transfers from the state general fund to the budget stabilization fund of the department of administration, by Committee on Ways and Means.

SB 68, AN ACT concerning electric transmission lines; relating to construction and ownership of certain electric transmission lines; providing incumbent electric transmission owners a right of first refusal, by Committee on Utilities.

SB 69, AN ACT concerning reapportionment; relating to congressional, state senatorial, representative and board of education districts; imposing requirements for the drawing thereof, by Senator Corson.

SB 70, AN ACT concerning labor and employment; increasing the minimum wage; enacting the making work pay act; amending K.S.A. 44-1203 and repealing the existing section, by Senator Corson.

SB 71, AN ACT concerning agriculture; relating to the Kansas department of agriculture; requiring the secretary of agriculture to establish a division of sustainable agriculture that shall apply for federal grant funds under the greenhouse gas reduction fund to assist farmers in converting to renewable energy and sustainable agriculture practices, by Senators Alley and Francisco.

SB 72, AN ACT concerning civil procedure; relating to the rules of evidence; creating a hearsay evidence exception for statements made to translators; amending K.S.A. 2022 Supp. 60-460 and repealing the existing section, by Committee on Judiciary.

SB 73, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes involving property; burglary and aggravated burglary; adding domestic battery and violation of a protection order to the list of crimes a person has intent to commit; amending K.S.A. 2022 Supp. 21-5807 and repealing the existing section, by Committee on Judiciary.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 52, SB 53, SB 54, SB 56, SB 57, SB 58.**

Commerce: **SB 47.**

Education: **SB 48.**

Federal and State Affairs: **SB 50, SB 59.**

Financial Institutions and Insurance: **SB 44, SB 51.**

Public Health and Welfare: **SB 43, SB 45.**

Utilities: **SB 46, SB 49.**

Ways and Means: **SB 42.**

CONSIDERATION OF APPOINTMENTS

In accordance with Senate Rule 55, the following appointments submitted to the Senate for confirmation were considered:

Senator Alley moved the following appointments be confirmed as recommended by the Committee on **Confirmation Oversight**:

By the Governor

On the appointment to the:

State Board of Indigents Defense Services:

Erica Andrade, Term ends January 15, 2025

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Gossage, Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Board of Regents:

Blake Benson, Term ends June 30, 2026

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Gossage, Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Board of Indigents Defense Services:

Michael Birzer, Term ends January 15, 2025

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Gossage, Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

Pooled Money Investment Board:

Steven Bowser, Term ends March 15, 2026

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Gossage, Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Lottery Commission:

Pete Brungardt, Term ends March 15, 2026

On roll call, the vote was: Yeas 36; Nays 0; Present and Passing 1; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Present and Passing: Pyle.

Absent or Not Voting: Gossage, Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Board of Regents:

John Dicus, Term ends June 30, 2026

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Gossage, Holland.

The appointment was confirmed.

By the Board of Healing Arts

On the appointment to the:

State Board of Healing Arts:

Susan Gile

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Gossage, Holland.

The appointment was confirmed.

By the Attorney General

On the appointment to the:

Kansas Crime Victims Compensation Board:

Stuart Hite, Term ends March 15, 2026

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Gossage, Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Board of Indigents Defense Services:

Patricia Hudgins, Term ends January 15, 2025

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Gossage, Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

University of Kansas Hospital Authority:

Talal Khan, Term ends March 15, 2026

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle,

Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Gossage, Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Board of Regents:

Diana Mendoza, Term ends June 30, 2026

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Gossage, Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Court of Appeals:

Rachel Pickering

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Gossage, Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Human Rights Commission:

Harold Schorn, Term ends January 15, 2026

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Gossage, Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

University of Kansas Hospital Authority:

Anne St. Peter, Term ends March 15, 2025

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Haley, Holscher, Kerschen, Kloos,

Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Gossage, Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Librarian:

Ray Walling, At the pleasure of the governor

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Gossage, Holland.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Public Employee Relations Board:

Donald (Rick) Wiley, Term ends March 15, 2026

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Gossage, Holland.

The appointment was confirmed.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 3** be passed.

On motion of Senator Alley, the Senate adjourned pro forma until 9:00 a.m. Friday, January 20, 2023.

Journal of the Senate

NINTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, January 20, 2023, 9:00 a.m.

The Senate was called to order pro forma by Senator Brenda Dietrich.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 74, AN ACT concerning the code of civil procedure; relating to litigation funding by third parties; providing for joint liability for costs and sanctions; requiring certain discovery disclosures; payment of certain costs for nonparty subpoenas in third-party funded action; amending K.S.A. 2022 Supp. 60-226 and 60-245 and repealing the existing sections, by Committee on Judiciary.

SB 75, AN ACT concerning the legal rate of interest; relating to the percentage rate used to calculate interest; amending K.S.A. 16-201 and repealing the existing section, by Committee on Judiciary.

SB 76, AN ACT concerning insurance; relating to producer licensure requirements; providing for an exemption from continuing education requirements for certain individuals; amending K.S.A. 40-4903 and 40-5512 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture and Natural Resources: **SB 71**.

Assessment and Taxation: **SB 60**, **SB 61**.

Commerce: **SB 70**.

Education: **SB 66**.

Federal and State Affairs: **SB 64**, **SB 65**, **SB 69**.

Financial Institutions and Insurance: **SB 62**.

Judiciary: **SB 72**, **SB 73**.

Transparency and Ethics: **SB 63**.

Utilities: **SB 68**.

Ways and Means: **SB 67**.

TRIBUTES

The Committee on **Organization, Calendar, and Rules** authorizes the following tributes for the week of January 17 through January 20, 2023:

Senator Bowers: congratulating Rhett Robbins on being named the 2022 Rodeo Association Rookie of the Year, congratulating Gloria Moore on receiving a 2022

Governor's Tourism Award, congratulating Delwin Bott on receiving the 2022 Washington County Conservation District Pat Lehman Legacy Award, congratulating Megan Riener on receiving the 2022 NW KS Music Educator's Association Educator Awards, congratulating Kelsey Pinkerton on receiving a 2022 NW KS Music Educator's Association Educator Award, congratulating David and Joy Garrison on being the 2022 Inaugural Recipients of the Garrison Volunteer of the Year Award for Osborne County, celebrating Lewis and Darlene Imm's 75th Wedding Anniversary, congratulating Kinsey Volk on receiving a 2023 Kansas Horizon Teaching Award;

Senator Billinger: congratulating Jorgen Stewart on winning the League of Kansas Municipalities "My City, My Home" Essay Contest;

Senator Dietrich: congratulating Megan Maness on receiving a 2023 Kansas Horizon Teaching Award;

Senator Erickson: proclaiming January 18, 2023 as Blood Pressure Check Day at the Kansas Capitol;

Senator Kloos: congratulating Heidi Jo Hayen on receiving a 2023 Kansas Horizon Teaching Award;

Senator McGinn: congratulating Carla McConnell on receiving a 2023 Kansas Horizon Teaching Award, congratulating Aaron Miller on receiving a 2023 Kansas Horizon Teaching Award, commending Chip Westfall on sixteen years of service to the Harvey County Board of Commissioners; and

Senator Steffen: honoring Brent Hoffman and the Douglas County Republican Party for their contributions to Kansas Politics.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Monday, January 23, 2023.

Journal of the Senate

TENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, January 23, 2023, 2:30 p.m.

The Senate was called to order by President Ty Masterson.
Invocation by Reverend Cecil T. Washington:

Lord, We Need You To Talk Us!
Isaiah 5:6:1-9

Lord, we need You to talk to us! Too often we're just talking to ourselves searching for answers. But not even knowing what the questions are, we need You to talk to us, that we might have the wisdom to address the issues of today.

We need You to give us those Isaiah moments. Beginning in Isaiah 5:8, You declared distress and misery upon Your people because they ignored Your Words. And in vs. 20, like it is today, they had it so twisted, that things You call evil they were calling good, and things You call good they were calling evil.

What they needed and what You gave Isaiah, in 6:1-9, was that moment of clarity. You opened his eyes, his ears and his mouth. He saw how wasted and ruined he was. His ears were opened to hear from You, and You opened his mouth to speak for You. When he surrendered saying, "Here I am, send me," he was ready for You to use him. And, You used him as a major spokesman in the Old Testament.

So, Lord, bring us to the level of humility, where our eyes will see clearly and not cloudy, our ears will hear Your voice above all the others and our mouths will be Yours. Use us to speak Your Truths.

I present this prayer in the precious Name of Jesus, Amen!

The Pledge of Allegiance was led by President Masterson.

OATH OF OFFICE

President Masterson requested Senator Larry Alley escort Tim Shallenburger to the front of the Senate. The President introduced the Honorable Marla J. Luckert, Chief Justice, Supreme Court of Kansas, who administered the Oath of Office.

OATH OF OFFICE
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 State Senator. So help me God.

Subscribed and sworn to, or affirmed, before me this 23rd day of January 2023.

Marla J. Luckert
Chief Justice of the Supreme Court

The roll was called with 35 senators present.
Senators Claeys, Holscher, Longbine, Peck and Steffen were excused.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 77, AN ACT concerning housing discrimination; relating to the Kansas act against discrimination; authorizing the removal of unlawful restrictive covenants; amending K.S.A. 44-1017a and repealing the existing section, by Committee on Federal and State Affairs.

SB 78, AN ACT concerning electric utilities; relating to the state corporation commission; requiring the commission to evaluate the regional rate competitiveness of an electric utility's rates in rate proceedings; amending K.S.A. 66-101b and repealing the existing section, by Committee on Utilities.

SB 79, AN ACT concerning taxation; authorizing counties to impose an earnings tax; amending K.S.A. 2022 Supp. 19-101a and repealing the existing section, by Committee on Assessment and Taxation.

SB 80, AN ACT concerning taxation; relating to homestead property tax refund claims; excluding social security payments from household income for eligibility of seniors and disabled veterans related to increased property tax claims; amending K.S.A. 2022 Supp. 79-4508a and repealing the existing section, by Committee on Assessment and Taxation.

SB 81, AN ACT concerning income taxation; relating to Kansas adjusted gross income; providing a subtraction modification for the federal work opportunity tax credit and the employee retention credit disallowances; amending K.S.A. 2022 Supp. 79-32,117 and repealing the existing section, by Committee on Assessment and Taxation.

SB 82, AN ACT concerning education; relating to the school sports head injury prevention act; requiring schools to establish concussion management teams; standards of care protocols; biennial education; amending K.S.A. 72-7119 and repealing the existing section, by Committee on Education.

SB 83, AN ACT concerning education; relating to the tax credit for low income students scholarship program; providing for additional student eligibility; increasing the tax credit for contributions made pursuant to such program; amending K.S.A. 72-4353 and 72-4357 and K.S.A. 2022 Supp. 72-4352 and repealing the existing sections, by Committee on Education.

SB 84, AN ACT concerning education; relating to postsecondary educational institutions; including high school equivalency credentials in performance-based payments for such institutions; amending K.S.A. 74-32,434 and repealing the existing section, by Committee on Education.

SB 85, AN ACT concerning travel insurance; relating to the licensing and registration of limited lines travel insurance producers and travel retailers; enacting the Kansas travel insurance act; establishing a premium tax for travel insurers; regulating the sale and marketing of travel insurance and travel protection plans; providing for travel administrators; establishing standards for travel insurance policies; amending K.S.A.

40-4903 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 86, AN ACT concerning governmental ethics; relating to actions of local governmental officials affecting the development, construction and operation of certain renewable energy systems; requiring local governmental officials and candidates for local office to disclose substantial interests in a renewable energy system; prohibiting local governmental officials who have a substantial interest from acting on matters relating to the renewable energy system; amending K.S.A. 75-4301a, 75-4303a and 75-4306 and repealing the existing sections, by Committee on Local Government.

Senators Kerschen, Alley, Baumgardner, Billinger, Blasi, Bowers, Dietrich, Doll, Erickson, Fagg, Faust Goudeau, Kloos, Longbine, Masterson, McGinn, Olson, O'Shea, Peck, Petersen, Pettey, Pyle, Ryckman, Steffen, Straub, Thompson, Tyson, Warren and Wilborn introduced the following Senate Concurrent resolution, which was read:

SENATE CONCURRENT RESOLUTION No. 1602—

A CONCURRENT RESOLUTION disapproving the designation of the
lesser prairie chicken as a threatened species in Kansas
by the United States Fish and Wildlife Service and
supporting efforts to remove such designation.

WHEREAS, On November 17, 2022, the United States Fish and Wildlife Service listed the lesser prairie chicken as threatened under the Endangered Species Act; and

WHEREAS, This designation creates unnecessary obstacles for Kansas farmers, ranchers and energy producers who wish to manage their own land; and

WHEREAS, The designation of the lesser prairie chicken as threatened is detrimental to Kansas' agriculture and energy industries; and

WHEREAS, On December 21, 2022, Senators Roger Marshall and Jerry Moran co-sponsored Senate Joint Resolution 70, a Congressional Review Act resolution stating congressional disapproval of the designation of the lesser prairie chicken as threatened; and

WHEREAS, Representatives Ron Estes, Jake LaTurner and Tracey Mann co-sponsored House Joint Resolution 105, addressing the same issue in the House of Representatives; and

WHEREAS, If the resolutions pass, their passage would prevent the designation from going into effect; and

WHEREAS, The resolutions would affirm the rights of farmers, ranchers and energy producers to control their lands and continue their existing proactive measures to protect the lesser prairie chicken: Now, therefore,

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That we disapprove the designation of the lesser prairie chicken as a threatened species in Kansas by the United States Fish and Wildlife Service; and

Be it further resolved: That we support the passage of Senate Joint Resolution 70 and House Joint Resolution 105, which would return control to the farmers, ranchers and energy producers of Kansas; and

Be it further resolved: That the Secretary of State shall send an enrolled copy of this resolution to Senator Kerschen.

On emergency motion of Senator Kerschen **SCR 1602** was adopted by voice vote.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Financial Institutions and Insurance: **SB 76**.

Judiciary: **SB 74, SB 75**.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Francisco introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1704—

A RESOLUTION honoring the outstanding achievements
of Robert "Robby" Eugene Steinhardt.

WHEREAS, Robert Eugene Steinhardt, better known to the world as "Robby Steinhardt," was one of the original founding members of the rock band Kansas, along with his bandmates, Phil Ehart of Coffeyville, Kerry Livgren of Topeka, Dave Hope of Topeka, Richard Williams of Topeka and Steve Walsh of St. Louis Missouri; and

WHEREAS, Robby's career with the band Kansas spanned the years 1973 through 1982 and 1997 through 2006. Well known for his wild hair and bold violin style, he was the band's frontman, violinist and co-lead singer; and

WHEREAS, Robby, born in Chicago, Illinois, was given up for adoption at birth. Milton and Ilse Steinhardt adopted him when he was four days old; and

WHEREAS, They moved to Lawrence, Kansas, when Dr. Milton Steinhardt secured the position as Professor and Chairman of the Music History Department at the University of Kansas; and

WHEREAS, Robby was raised in Lawrence, where he attended Lawrence High School, graduating in 1968. At Lawrence High School he was in band and first chair in the orchestra. He also attended the University of Kansas—a proud Jayhawk—until his career started with the band Kansas; and

WHEREAS, Robby came from a musical family. His mother was a pianist, but it was his father who bestowed upon him the love for the violin and music as a whole; and

WHEREAS, Dr. Milton Steinhardt was honored with two Fulbright Grants and two Guggenheim Fellowships, which took his family across the world to learn and explore the history of music, mostly in the "City of Music," Vienna, Austria; and

WHEREAS, Classically trained at the American International School of Vienna, Robby brought his knowledge and training of the violin into the world of rock and roll, thus blazing a new trail for the violin's role in popular music; and

WHEREAS, During Robby's hiatus from the band Kansas, he formed a band called "Steinhardt Moon" in the Tampa Bay area of Florida with his best friend of 45 years, Rick Moon; and

WHEREAS, Playing original songs co-written by Moon and Robby, they played throughout the state of Florida until Robby's return to the band Kansas; and

WHEREAS, Before his death in 2021, Robby, along with producer Michael Franklin and co-writer Timothy Franklin of Solar Studios, created his first solo album "Not In Kansas Anymore," which received worldwide recognition; and

WHEREAS, Above all things, Robby was proud to have been the father of Rebecca M. Steinhardt and to have been married to the love of his life, Cindy "Cynthia"

Steinhardt, from 2006 until his death in 2021; and

WHEREAS, Rebecca and Cynthia will continue to honor Robby's life and achievements with the "Robby Steinhardt Foundation" with the mission to further music education and performing arts in his name; and

WHEREAS, Robby departed this earthly life on July 17, 2021, at the age of 71, but his outgoing personality, love for family and friends, and dedication to music and the public good will continue to resonate across this State and our nation for many years to come; and

WHEREAS, Robby is laid to rest next to his parents at Pioneer Cemetery in his hometown of Lawrence: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we honor the outstanding achievements of Robert "Robby" Eugene Steinhardt; and

Be it further resolved: That the Senate expresses its most profound sense of sorrow and offers its sincerest condolences to the family and friends of Robert Eugene Steinhardt on this time of his passing; and

Be it further resolved: That when the Senate adjourns on this day, it does so in loving memory and in honor of Robert Eugene Steinhardt; and

Be it further resolved: That the Secretary of the Senate shall send enrolled copies of this resolution to Rebecca M. Steinhardt, Cindy Steinhardt and the Robby Steinhardt Foundation, Inc.

On emergency motion of Senator Francisco **SR 1704** was adopted by voice vote.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Tuesday, January 24, 2023.

Journal of the Senate

ELEVENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, January 24, 2023, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 37 senators present.
Senators Claeys, Longbine and O'Shea were excused.
Invocation by Doug Henkle:

Father God, thank You for Your calling on the lives of each senator in this chamber today and for Your overwhelming love for each one here. Jesus, keep us ever mindful of Your command to love one another as You have loved us. I pray that You would cause a bond of common purpose to unite this body in spite of strongly held, differing views.

I pray Your peace would be upon this chamber as well as upon the marriages, families and homes represented here. We have been reminded by the prophet Isaiah that, "You will keep in perfect peace all who trust in You, all whose thoughts are fixed on You." Father, I ask that we trust You and that You would fix our thoughts on You that we might experience Your perfect peace.

I pray for President Masterson, Vice President Wilborn, Majority Leader Alley and Minority Leader Sykes. Give them Your perspective and Your wisdom as they lead this chamber.

Give our Governor Your direction as she leads the executive branch of our government that Your divine will for our state would be accomplished.

Thank You for the blessing it is to come before Your throne on behalf of the Kansas Senate and the State of Kansas. In Jesus' name, Amen!

The Pledge of Allegiance was led by Vice President Wilborn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 87, AN ACT concerning children and minors; requiring a duly ordained minister of religion to report certain abuse and neglect; amending K.S.A. 2022 Supp. 38-2223 and repealing the existing section, by Senator Holland.

SB 88, AN ACT concerning public utilities; relating to the regulation and oversight of public utilities; providing for the statewide election of the commissioners of the state corporation commission; establishing an election schedule for the election of such commissioners; authorizing gubernatorial appointments until commissioners are elected; relating to the attorney general; requiring the office of the attorney general to represent and protect the collective interests of utility customers in utility rate-related

proceedings before the state corporation commission and in any other judicial or administrative proceeding; establishing the utilities regulation division within the office of the attorney general and providing duties therefor; exempting the state corporation commission from the open meetings act; amending K.S.A. 25-101, 25-101a, 25-4001, 25-4142, 66-117a, 66-1236, 66-1502, 66-1503, 66-2204, 74-601, 74-605, 74-630 and 75-4318 and K.S.A. 2022 Supp. 66-1,251 and repealing the existing sections, by Committee on Utilities.

SB 89, AN ACT concerning sales taxation; relating to exemptions; providing for exemption for feminine hygiene products and diapers; amending K.S.A. 2022 Supp. 79-3606 and repealing the existing section, by Senator Holscher.

SB 90, AN ACT concerning vehicles; relating to registration and titles; increasing fees for certain services provided by county treasurers and the division of vehicles; decreasing fees associated with administrative costs for such services; modifying the disposition of certain registration and titling fees; eliminating the division of vehicles modernization surcharge; amending K.S.A. 8-132, 8-135, 8-135a, 8-139, 8-143, 8-143j, 8-145, 8-145d, 8-167, 8-170, 8-172, 8-195, 8-198, 74-2013 and 79-3604 and K.S.A. 2022 Supp. 58-4204 and repealing the existing sections; also repealing K.S.A. 75-5160, by Committee on Transportation.

SB 91, AN ACT concerning economic development; enacting the Kansas film and digital media production development act; establishing an income tax credit, sales tax exemption and loan and grant program to be administered by the secretary of commerce for the purpose of developing film, video or digital production in Kansas; establishing the Kansas film and digital media production development act education fund and the Kansas film and digital media production development act workforce training and business direct investment fund; amending K.S.A. 2022 Supp. 79-3606 and repealing the existing section, by Committee on Commerce.

SB 92, AN ACT concerning conventions under article V of the constitution of the United States; providing for the appointment and qualifications of delegates; prescribing the duties and responsibilities thereof; authorizing instruction for delegates by the legislature; creating a joint committee of correspondence, by Committee on Federal and State Affairs.

SB 93, AN ACT concerning federal mandates; creating the constitution and federalism defense act; establishing the joint commission on federalism to evaluate the constitutionality of federal mandates; creating the constitution and federalism defense fund, by Committee on Federal and State Affairs.

SB 94, AN ACT concerning property taxation; relating to tax levies; discontinuing the state tax levies for the Kansas educational building fund and the state institutions building fund; providing financing therefor from the state general fund; amending K.S.A. 76-6b01, 76-6b02, 76-6b04, 76-6b05 and 76-6b11 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 95, AN ACT concerning statutes of limitation for childhood sexual abuse; relating to time limitations for commencement of prosecution in criminal actions; permitting a prosecution for childhood sexual abuse to be commenced at any time; relating to limitations on civil actions; permitting a claim for damages caused by childhood sexual abuse to be brought at any time; reviving claims against any party for such damages that occurred on or after July 1, 1984; amending K.S.A. 2022 Supp. 21-5107 and 60-523 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 96, AN ACT concerning taxation; relating to income, privilege and premium tax credits; establishing a tax credit for contributions to eligible charitable organizations operating pregnancy centers or residential maternity facilities, by Committee on Assessment and Taxation.

SB 97, AN ACT concerning property taxation; relating to exemptions; increasing the extent of exemption for residential property from the statewide school levy; amending K.S.A. 2022 Supp. 79-201x and repealing the existing section, by Committee on Assessment and Taxation.

SB 98, AN ACT concerning postsecondary and postgraduate loan programs; relating to the university of Kansas school of medicine; medical student loan program and residency bridging program; encouraging the practice of obstetrics and gynecology; establishing the OBGYN medical loan repayment fund and the OBGYN medical residency bridging fund; amending K.S.A. 76-381, 76-383, 76-385 and 76-387 and repealing the existing sections; also repealing K.S.A. 76-386a, by Committee on Education.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 79, SB 80, SB 81.**

Education: **SB 82, SB 83, SB 84.**

Federal and State Affairs: **SB 77.**

Financial Institutions and Insurance: **SB 85.**

Local Government: **SB 86.**

Utilities: **SB 78.**

COMMUNICATIONS FROM STATE OFFICERS

The following report was submitted to the Senate and is on file with the Secretary of the Senate:

Kansas Department of Education School District Accreditation (KESA) Report (January 23, 2023)

REPORTS OF STANDING COMMITTEES

Your Committee on **Judiciary** begs leave to submit the following report:

The following appointment was referred to and considered by the committee and your committee recommends that the Senate approve and consent to such appointment:

By the Governor:

Member, State Board of Indigents' Defense Services: K.S.A. 22-4519

Maurice Brewer, to fill a term expiring on January 15, 2024

REPORT ON ENROLLED BILLS

SR 1704 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on January 24, 2023.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Wednesday, January 25, 2023.

Journal of the Senate

TWELFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, January 25, 2023, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn
The roll was called with 36 senators present.
Senators Claeys, Holscher, Longbine and O'Shea were excused.
Invocation by Sister Diane Steele, SCL, Ph.D., President, University of Saint Mary:

Gracious and Loving God, thank You for these generous men and women who serve the people of the great state of Kansas. Grant them wisdom in their deliberations, insight in the problem solving, peace in the midst of tension and, mostly, oh God, bless them with the ability to listen to Your presence in each other and to treat all with great respect. For their job is difficult and finding common ground that serves the people is not easy. Bless them with a deep sense of the common good and resolve to tackle challenges together for Your people.

And as we celebrate education this week, we give thanks for all who dedicate their lives to the noble task of educating and shaping our young, our greatest treasure. For those who unlock the mystery of reading, for those who guide the young in the wonder and adventure of learning, may we honor them and reward them for the important work they do.

Grant us humility as we remember that we are all still students in the school of life. Grant us grateful hearts this day and always. Amen!

The Pledge of Allegiance was led by Vice President Wilborn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 99, AN ACT establishing the advisory commission on Asian-American Pacific Islander affairs; providing for the composition thereof; appointment of members; powers and duties, by Committee on Federal and State Affairs.

SB 100, AN ACT concerning real property; relating to the conveyance thereof; prohibiting the conveyance of title to certain real property to foreign individuals and entities, by Committee on Federal and State Affairs.

SB 101, AN ACT concerning sales taxation; relating to exemptions; providing for a sales tax exemption for area agencies on aging; amending K.S.A. 2022 Supp. 79-3606 and repealing the existing section, by Committee on Assessment and Taxation.

SB 102, AN ACT concerning postsecondary education; relating to technical colleges; establishing residency criteria for students of technical colleges; amending K.S.A. 71-1803 and repealing the existing section, by Committee on Education.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 89, SB 94, SB 96, SB 97.**

Commerce: **SB 91.**

Education: **SB 98.**

Federal and State Affairs: **SB 92, SB 93.**

Judiciary: **SB 87, SB 95.**

Transportation: **SB 90.**

Utilities: **SB 88.**

COMMUNICATIONS FROM STATE OFFICERS

The following reports were submitted to the Senate and are on file with the Secretary of the Senate:

Department of Wildlife and Parks Recovery Plan Progress Annual Report for currently listed threatened or endangered species (January 25, 2023)

Department of Wildlife and Parks 2022 Land Report (January 23, 2023)

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Committee on Education introduced the following Senate resolution, which was read: SENATE RESOLUTION No. 1705–

A RESOLUTION congratulating and commending
the members of the 2023 Kansas Teacher of the Year team.

WHEREAS, The Kansas State Department of Education sponsors the Kansas Teacher of the Year program, which identifies, recognizes and utilizes representatives of excellent teaching in the elementary and secondary classrooms of the state; and

WHEREAS, The mission of the program is to build and utilize a network of exemplary teachers who are leaders in the improvement of schools, student performance and the teaching profession; and

WHEREAS, Two teachers – one elementary and one secondary – in each of the state's four United States congressional districts were selected as finalists for recognition as Kansas Teacher of the Year, with the recipient being chosen from among the eight finalists; and

WHEREAS, The Kansas Teacher of the Year is awarded the Hubbard Foundation Kansas Teacher of the Year Ambassadorship, which enables the person selected to devote significant time during the second semester to activities supporting the mission of the program. The 2023 Kansas Teacher of the Year and the finalists were honored at an awards banquet on September 24, 2022. All members received a cash award as well as mementos of the event; and

WHEREAS, The Kansas Teacher of the Year is nominated to represent Kansas in the National Teacher of the Year program, a project of the Council of Chief State School Officers, presented by Voya Financial; and

WHEREAS, The 2023 Kansas Teacher of the Year is Brian Skinner, Newton USD 373; and the regional finalists are: Jessica Gazzano, Spring Hill USD 230; Erica

Huggard, Emporia USD 253; Mallory Keefe, Cheney USD 268; Pamela Munoz, Topeka USD 501; Kendal Norberg, Louisburg USD 416; Jaimie Swindler, Ottawa USD 290; Carly Torres, Hutchinson USD 308: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the members of the 2023 Kansas Teacher of the Year team; and

Be it further resolved: That the Secretary of the Senate shall send eight enrolled copies of this resolution to Senator Baumgardner.

On emergency motion of Senator Baumgardner **SR 1705** was adopted by voice vote.

REPORTS OF STANDING COMMITTEES

Your Committee on **Judiciary** begs leave to submit the following report:

The following appointment was referred to and considered by the committee and your committee recommends that the Senate approve and consent to such appointment:

By the Governor:

Member, State Board of Indigents' Defense Services: K.S.A. 22-4519

Alexandra (Nicki) Rose, to fill a term expiring on January 15, 2025

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Thursday, January 26, 2023.

Journal of the Senate

THIRTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, January 26, 2023, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 37 senators present.
Senators Longbine, O'Shea and Pyle were excused.
Invocation by Reverend Cecil T. Washington:

Light For The World's Darkness!
Genesis 1:14-18, Acts 26:17-18, John 8:12

Heavenly Father, in the first chapter of Genesis there was darkness and You provided the sun, a light for the day. And then a secondary light, the moon, for the darkness of night. You chose that we should not live in the dark. Learning that the moon had no light of its own but reflected the light it received from the sun proved to be a parallel.

For, in reality, none of us in these halls has our own light-generating power. For without You, like the moon without the sun, we could do nothing. The only thing we can do, and we even need You to do it, is to serve in a position that You have empowered and You have sanctioned.

Lord, in Acts 26:17-18, You positioned and commissioned Your messenger, Paul, telling him to open people's eyes so they can turn from darkness to light. And Lord, in a lesser way, we have been positioned and commissioned. You have charged us to be light conveyors, receiving light from You that it may be reflected into the lives of the people we care about. Where there may be an absence of light, where things might be a little cloudy, shine the light of Your wisdom upon us that we may reflect it to others.

Let it be said, that the folks over here are lit. We want to be brilliant reflections of the light You give. And Lord, I offer this prayer, in the Name of Jesus, who in John 8:12, was declared to be "The Light of the World." Amen!

The Pledge of Allegiance was led by Vice President Wilborn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 103, AN ACT concerning health professions and practices; relating to the regulation of dentists; Kansas dental board; requiring that treating dentist information be given to patients upon request; prohibiting agreements that limit a patient's ability to file complaints; eliminating the minimum personal presence requirements of licensee in dental office using licensee's name; amending K.S.A. 65-1430, 65-1435, 65-1436 and

65-1467 and repealing the existing sections, by Committee on Public Health and Welfare.

SB 104, AN ACT concerning financial institutions; relating to payments made with credit and debit cards; allowing a surcharge for use of such cards; amending K.S.A. 12-16,125 and 72-1176 and K.S.A. 2022 Supp. 19-122 and 75-30,100 and repealing the existing sections; also repealing K.S.A. 2022 Supp. 16a-2-403, by Committee on Financial Institutions and Insurance.

SB 105, AN ACT concerning wildlife and parks; relating to Jewell county; authorizing the department of wildlife and parks to purchase land therein, by Committee on Agriculture and Natural Resources.

SB 106, AN ACT concerning motor vehicles; relating to devices that are counterfeit supplemental restraint system components and nonfunctional airbags; creating the crime of knowingly or intentionally manufacturing, importing, distributing, selling, offering for sale, installing or reinstalling such devices and providing for criminal penalties for violation thereof, by Committee on Transportation.

SB 107, AN ACT concerning criminal procedure; providing that family members of certain deceased crime victims have the right to sit in a designated seating area at or near the prosecution table during certain court proceedings; amending K.S.A. 2022 Supp. 22-3436 and repealing the existing section, by Committee on Federal and State Affairs.

SB 108, AN ACT concerning law enforcement; prohibiting motorcycle profiling by law enforcement agencies, by Senators Pittman and Kloos.

SB 109, AN ACT concerning postsecondary education; relating to residency of students; deeming certain refugees as residents of the state for purposes of tuition and fees; amending K.S.A. 76-729 and repealing the existing section, by Committee on Education.

SB 110, AN ACT concerning income taxation; relating to Kansas adjusted gross income; eliminating the income limitation to receive the subtraction modification exempting social security benefits; amending K.S.A. 2022 Supp. 79-32,117 and repealing the existing section, by Senator Blasi.

SB 111, AN ACT concerning health professions and practices; enacting the massage therapist licensure act; providing for regulation and licensing of massage therapists; powers, duties and functions of the state board of healing arts, by Committee on Public Health and Welfare.

SB 112, AN ACT concerning health professions and practices; relating to the regulation of nursing; registered nurse anesthetists; authorizing independent practice and the prescribing of drugs; amending K.S.A. 65-1158 and repealing the existing section, by Committee on Public Health and Welfare.

SB 113, AN ACT concerning health and healthcare; relating to naturopathic doctors; providing naturopathic doctors a certificate of authorization for a business entity to practice medicine; amending K.S.A. 17-2710 and K.S.A. 2022 Supp. 65-28,134 and repealing the existing sections, by Committee on Public Health and Welfare.

SB 114, AN ACT concerning solid waste; relating to advanced recycling; creating definitions for "advanced recycling" and related terms; separating advanced recycling from the current solid waste management system; amending K.S.A. 65-3402 and repealing the existing section, by Committee on Commerce.

SCR 1603—A CONCURRENT RESOLUTION urging the President of the United States to consider current geopolitical tensions and support policies to ensure America's long-term energy affordability, security, leadership and progress, by Senators Fagg, Alley, Baumgardner, Billinger, Blasi, Bowers, Claey's, Dietrich, Doll, Erickson, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, O'Shea, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Warren and Wilborn

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 101**.

Education: **SB 102**.

Federal and State Affairs: **SB 99**.

Judiciary: **SB 100**.

COMMUNICATIONS FROM STATE OFFICERS

The following reports were submitted to the Senate and are on file with the Secretary of the Senate:

KS 911 Coordinating Council Annual Legislative Report (January 25, 2023)

Department of Children and Families inspections of children's institutions (December 28, 2022)

Department of Children and Families inspection of Kansas State School for the Deaf concerning sanitary conditions and adequate health supervision (December 28, 2022)

Department of Children and Families inspection of Kansas School for the Blind concerning sanitary conditions and adequate health supervision (December 28, 2022)

MESSAGE FROM THE HOUSE

Announcing adoption of **HCR 5002**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HCR 5002 was thereupon introduced and read by title.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

Under the authority of the President, the Vice President referred **SCR 1603** and **HCR 5002** to the Committee of the Whole.

REPORT ON ENROLLED BILLS

SR 1705 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on January 26, 2023.

On motion of Senator Alley, the Senate adjourned pro forma until 9:00 a.m., Friday, January 27, 2023.

Journal of the Senate

FOURTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, January 27, 2023, 9:00 a.m.

The Senate was called to order pro forma by Senator Brenda Dietrich.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 115, AN ACT concerning adoption; relating to the Kansas adoption and relinquishment act; required notice of hearing on a petition for adoption; amending K.S.A. 2022 Supp. 59-2133 and repealing the existing section, by Committee on Judiciary.

SB 116, AN ACT concerning education; relating to firearms; standardizing firearm safety education training programs in school districts, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture and Natural Resources: **SB 105**.

Assessment and Taxation: **SB 110**.

Commerce: **SB 114**.

Education: **SB 109**.

Financial Institutions and Insurance: **SB 104**.

Judiciary: **SB 107**, **SB 108**.

Public Health and Welfare: **SB 103**, **SB 111**, **SB 112**, **SB 113**.

Transportation: **SB 106**.

CAUCUS REPORT

The Majority Party caucused on January 26, 2023, and elected the following officer:
Majority Whip – Senator Rick Kloos

TRIBUTES

The Committee on **Organization, Calendar, and Rules** authorizes the following tributes for the week of January 23 through January 27, 2023:

Senator Ryckman: congratulating Monica Blanco on receiving a 2023 Horizon Teaching Award, congratulating Kaisha Batman on receiving a 2023 Horizon Teaching Award;

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Senator Ware: welcoming the Taiwan Delegation to the Kansas Senate; and
Senators Pittman and Baumgardner: celebrating the University of Saint Mary's 100th
Anniversary.

On motion of Senator Kloos, the Senate adjourned pro forma until 2:30 p.m.,
Monday, January 30, 2023.

Journal of the Senate

FIFTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, January 30, 2023, 2:30 p.m.

The Senate was called to order pro forma by Vice President Rick Wilborn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 117, AN ACT concerning the disposition of certain state real property; authorizing the state historical society to convey certain real property located in Johnson county to the Shawnee Tribe; imposing certain conditions; prescribing costs of conveyance, by Committee on Federal and State Affairs.

SB 118, AN ACT concerning the department of health and environment; relating to the duties of the secretary; providing for the study and investigation of maternal deaths in the state of Kansas; continuing in existence exceptions to the disclosure of public records under the open records act related to maternal death investigations; amending K.S.A. 65-177 and repealing the existing section, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Federal and State Affairs: **SB 116**.

Judiciary: **SB 115**.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Tuesday, January 31, 2023.

Journal of the Senate

SIXTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, January 31, 2023, 2:30 p.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 39 senators present.
Senator Sykes was excused.
Invocation by Reverend Cecil T. Washington:

Success and Prosperity: God's Promise!
Joshua 1:6-9

Heavenly Father, we're thanking You for one more day, one that had not been promised to us as we have taken on some significant, sometimes daunting duties.

Lord, keep us mindful of the same promise You gave Joshua when You handed him those daunting responsibilities of leadership. In Joshua 1:6-9, You said don't deviate from the principles of Your Word. You give us a command and You accompanied it with a promise.

If we are careful to study and learn the instructions found in Your Book. And if we're faithful to obey them, You promise that we will have Godly prosperity and be successful in all that we do. Conversely Lord, it's been clearly seen, that ignorance of, or rejection of Your Word leads to defeat.

So Lord, by Your Holy Spirit, that we might prosper and be successful in *all* that we undertake, not only in these halls but in our homes and communities, confront us, convict us, convince us and convert us.

To the praise of Who You are and to esteem Your precious promises, I come before You in the Name of Jesus, Amen!

The Pledge of Allegiance was led by President Masterson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 119, AN ACT concerning insurance; relating to insurance law; updating certain obsolete statutory references contained therein; amending K.S.A. 40-201, 40-216, 40-241 and 40-955 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

SB 120, AN ACT concerning water; relating to water infrastructure projects; authorizing the secretary of health and environment to adopt rules and regulations for an annual certification program for the replacement of distributions systems segments; increasing the amortization period on loans from the Kansas water pollution control

revolving fund; amending K.S.A. 65-163 and 65-3326 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

SB 121, AN ACT concerning health and healthcare; relating to the practice of naturopathy; licensure and regulation of naturopathic doctors; broadening the scope of practice of naturopathic doctors; amending K.S.A. 65-7201, 65-7207, 65-7208, 65-7209 and 65-7214 and K.S.A. 2022 Supp. 65-1626, 65-4101 and 65-7202 and repealing the existing sections; also repealing K.S.A. 65-7212 and K.S.A. 2022 Supp. 65-4101d, by Committee on Public Health and Welfare.

SB 122, AN ACT concerning education; relating to the Kansas school equity and enhancement act; removing the sunset for the high-density at-risk student weighting; amending K.S.A. 2022 Supp. 72-5151 and repealing the existing section, by Committee on Education.

SB 123, AN ACT concerning postsecondary education; relating to residency determination of certain students; deeming veterans and dependents or spouses of such veterans who were stationed in the state for at least 11 months as residents for purposes of tuition and fees; amending K.S.A. 2022 Supp. 48-3601 and repealing the existing section, by Senators Pittman and Peck.

SB 124, AN ACT concerning income taxation; relating to deductions; providing a Kansas itemized deduction for wagering losses; amending K.S.A. 2022 Supp. 79-32,120 and repealing the existing section, by Senator Pittman.

SB 125, AN ACT concerning income taxation; relating to certain net operating losses; allowing a carryback on loss from the sale of certain historic hotels; amending K.S.A. 2022 Supp. 79-32,143 and repealing the existing section, by Committee on Assessment and Taxation.

SB 126, AN ACT concerning income taxation; relating to credits; providing a tax credit for certain residential solar and wind energy property expenditures, by Committee on Assessment and Taxation.

SB 127, AN ACT concerning sales and compensating use tax; relating to city and countywide retailers' sales tax; providing countywide retailers' sales tax authority for Dickinson county; amending K.S.A. 12-187, 12-189 and 12-192 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 128, AN ACT concerning income taxation; relating to tax credits for education expenses; providing an ad astra opportunity tax credit for taxpayers with eligible dependent children not enrolled in public school, by Senators Straub, Peck, Steffen and Thompson.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Federal and State Affairs: **SB 117**.

Public Health and Welfare: **SB 118**.

POINT OF PERSONAL PRIVILEGE

Senator Reddi was recognized and delivered the following remarks: "It's been a privilege to have five pages with me today from Manhattan-Ogden USD 383 Eisenhower Middle School. They are Alex Fletcher, Helen Durrett, Finnegan Nelson, Jaelynn Rhone, and Jaden Wataha. They had a chance to take a tour and learn about

state government.”

COMMUNICATIONS FROM STATE OFFICERS

The following appointment, made by the Attorney General and submitted to the Senate for confirmation, was introduced and the appointment letter read:

Tony Mattivi, Director, Kansas Bureau of Investigation (submitted January 9, 2023)

REFERENCE OF APPOINTMENTS

President Masterson referred the following appointment made by the Attorney General and submitted to the Senate for confirmation to Committee as indicated:

Director, Kansas Bureau of Investigation:

Anthony (Tony) Mattivi

(Committee on Judiciary)

COMMUNICATIONS FROM STATE OFFICERS

The following reports were submitted to the Senate and are on file with the Secretary of the Senate:

Kansas Insurance Department 2022 Workers Compensation Fund Report (January 31, 2023)

Kansas Board of Emergency Medical Services Report on Revolving Assistance Fund (KRAF) Grant Program (January 31, 2023)

Board of Pharmacy Prescription Drug Monitoring Program Report (January 31, 2023)

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 11, SB 39** be passed and, because the committee is of the opinion that the bills are of a noncontroversial nature, be placed on the consent calendar.

On motion of Senator Alley, the Senate adjourned pro forma until 2:30 p.m., Tuesday, February 1, 2023.

Journal of the Senate

SEVENTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, February 1, 2023, 2:30 p.m.

The Senate was called to order pro forma by Vice President Rick Wilborn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 129, AN ACT concerning taxation; relating to sales and compensating use tax; providing a sales tax exemption for purchases of tangible personal property or services by doorstep inc.; amending K.S.A. 2022 Supp. 79-3606 and repealing the existing section, by Committee on Assessment and Taxation.

SB 130, AN ACT concerning motor vehicles; relating to license plates; requiring certain license plates to have the county of registration for the motor vehicle identified on the plate, by Committee on Assessment and Taxation.

SB 131, AN ACT concerning certain healthcare providers; relating to the powers, duties and functions thereof; providing an exemption from licensure requirements for certain out-of-state physicians practicing medicine on a limited basis in the state during certain sporting events; authorizing the state board of healing arts to adopt rules and regulations related thereto, by Senators Pittman, Doll and Erickson.

SB 132, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the buffalo soldier license plate, by Senators Pittman, Faust Goudeau and Haley.

SB 133, AN ACT concerning philanthropic gifts; relating to judicial enforcement of donor-imposed restrictions on endowment fund or other gifts to charitable organizations; enacting the donor intent protection act, by Committee on Federal and State Affairs.

SB 134, AN ACT concerning the Kansas commission on peace officers' standards and training; relating to membership; adding more members; requiring that certain appointments be made with a preference to increase diversity; amending K.S.A. 74-5606 and repealing the existing section, by Committee on Federal and State Affairs.

SB 135, AN ACT concerning health and healthcare; relating to medical cannabis; creating the medical cannabis regulation act; providing for licensure and regulation of the cultivation, processing, distribution, sale and use of medical cannabis; delegating administrative duties and functions to the secretary of health and environment, secretary of revenue, board of healing arts, board of pharmacy and the director of alcohol and cannabis control; imposing fines and penalties for violations of the act; establishing the medical cannabis registration fund, the medical cannabis business regulation fund, the pharmacist consultant registration fee fund, the local medical cannabis enforcement

fund, the local medical cannabis enforcement refund fund and the state medical cannabis enforcement fund; creating the crimes of unlawful storage and unlawful transport of medical cannabis; making exceptions to the crimes of unlawful manufacture and possession of controlled substances; amending K.S.A. 38-2269, 41-201, 44-501, 44-1015, 65-28b08, 79-5201 and 79-5210 and K.S.A. 2022 Supp. 19-101a, 21-5703, 21-5705, 21-5706, 21-5707, 21-5709, 21-5710, 23-3201 and 65-1120 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 136, AN ACT concerning taxation; relating to income tax; providing a tax credit for the installation of certain water conservation systems in newly constructed houses, by Committee on Commerce.

SB 137, AN ACT concerning crimes, punishment and criminal procedure; relating to firearms; creating the responsible gun ownership act; establishing the crime of unlawful storage of a firearm, by Senator Holscher.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture and Natural Resources: **SB 120**.

Assessment and Taxation: **SB 124, SB 125, SB 126, SB 127, SB 128**.

Education: **SB 122, SB 123**.

Financial Institutions and Insurance: **SB 119**.

Public Health and Welfare: **SB 121**.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2015, HB 2016, HB 2017, HB 2018**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2015, HB 2016, HB 2017, HB 2018 were thereupon introduced and read by title.

REPORTS OF STANDING COMMITTEES

Your Committee on **Federal and State Affairs** begs leave to submit the following report:

The following appointments were referred to and considered by the committee and your committee recommends that the Senate approve and consent to such appointments:

By the Governor:

Member from congressional district four, State Civil Service Board: K.S.A. 75-2929a

Chrystal Krier, to fill a term expiring on March 15, 2026

Member from congressional district three, State Civil Service Board: K.S.A. 75-2929a

Jake Miller, to fill a term expiring on March 15, 2026

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Thursday, February 2, 2023.

Journal of the Senate

EIGHTEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, February 2, 2023, 2:30 p.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 38 senators present.
Senators Claeys and Holscher were excused.
Invocation by Reverend Cecil T. Washington:

Prayer of Thanksgiving by Andre Crouch: My Tribute

How can I say thanks for the things You have done for me
Things so undeserved that You gave to prove Your love for me
The voice of a million angels could not express my gratitude
All that I am, or ever hope to be, I owe it all to Thee
To God be the glory, to God be the glory
To God be the glory for the things you have done
With Your love You have saved me
With Your power You have raised me
To God be the glory, for the things You have done
Just let me live my life, let it be pleasing Lord to Thee
And should I gain any praise, let it go to Calvary!

The Pledge of Allegiance was led by President Masterson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 138, AN ACT concerning property taxation; relating to exemptions; expanding and clarifying the exemption for Strother field airport property; amending K.S.A. 79-201r and repealing the existing section, by Committee on Assessment and Taxation.

SB 139, 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 money to the Kansas newborn screening fund; amending K.S.A. 65-181 and 65-183 and repealing the existing sections, by Senators Sykes and Blasi.

SB 140, 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. 12-16,130 and repealing the existing section, by

Senators Pittman, Corson, Faust Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Reddi, Sykes and Ware.

SB 141, AN ACT concerning the attorney general; relating to corruption committed by a public officer or public employee; requiring the attorney general to carry out certain duties related to inquiry and investigation and request an inquisition or state grand jury under certain circumstances; amending K.S.A. 2022 Supp. 22-3001 and repealing the existing section, by Senator Holland.

SB 142, AN ACT concerning traffic regulations; relating to the duty of drivers approaching stationary vehicles; providing a penalty for unlawful passing thereof; amending K.S.A. 8-2118 and repealing the existing section, by Committee on Transportation.

SB 143, AN ACT concerning motor vehicles; relating to permitted lighting equipment; allowing for use of ground effect lighting; amending K.S.A. 8-1723 and repealing the existing section, by Committee on Transportation.

SB 144, AN ACT concerning the video competition act; exempting providers of broadcast satellite services and video programming delivered over the internet from the provisions of such act; amending K.S.A. 12-2022 and repealing the existing section, by Committee on Utilities.

SB 145, AN ACT concerning school districts; relating to teacher employment contracts; requiring due process procedures when non-renewing or terminating certain contracts; amending K.S.A. 72-2252, 72-2253, 72-2254 and 72-2260 and repealing the existing sections, by Committee on Education.

SB 146, AN ACT concerning the attorney general; relating to sexual abuse committed by a minister of religion; requiring the attorney general to carry out certain duties related to inquiry and investigation; requiring the attorney general to request an inquisition or state grand jury under certain circumstances; amending K.S.A. 2022 Supp. 22-3001 and repealing the existing section, by Senator Holland.

SB 147, AN ACT concerning income taxation; relating to credits; increasing the tax credit amount for adoption expenses and making the credit refundable; amending K.S.A. 79-32,202a and repealing the existing section, by Senator Blasi.

SB 148, AN ACT concerning health and healthcare; relating to insurance; enacting the ensuring transparency in prior authorization act; imposing certain requirements and limitations on the use of prior authorization, by Committee on Public Health and Welfare.

SB 149, AN ACT concerning crimes, punishment and criminal procedure; relating to obscene performances; expanding the crime of promoting obscenity to minors to include drag performances; amending K.S.A. 2022 Supp. 21-6401 and repealing the existing section, by Committee on Federal and State Affairs.

SB 150, AN ACT concerning the department of administration; relating to the division of printing; authorizing the division to print for units of local government and schools; amending K.S.A. 2022 Supp. 75-1005 and repealing the existing section, by Committee on Ways and Means.

SB 151, AN ACT concerning state agencies; relating to the employee award and recognition program; authorizing hiring, recruitment and retention bonuses; increasing the limitation on such award or bonus to \$10,000; eliminating the secretary of administration's authority to adopt rules and regulations; requiring such secretary to submit an annual report to certain legislative committees concerning such awards and

bonuses; amending K.S.A. 75-37,105 and repealing the existing section, by Committee on Ways and Means.

SB 152, AN ACT concerning certain state officers; relating to the salaries of the governor, lieutenant governor, attorney general, secretary of state, state treasurer, commissioner of insurance, justices of the supreme court, judges of the court of appeals and members of the governor's cabinet; establishing the rate of pay for such state officers based on the annual rate of pay for members of congress, as adjusted by the provisions of this act; providing that all such rates of pay are subject to appropriations; amending K.S.A. 40-102, 75-3103 and 75-3120l and repealing the existing sections; also repealing K.S.A. 75-3101, 75-3104, 75-3108, 75-3110, 75-3111a, 75-3120f and 75-3120h, by Committee on Ways and Means.

SB 153, AN ACT making and concerning appropriations for the fiscal years ending 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, by Committee on Ways and Means.

SB 154, AN ACT concerning cities; relating to a board of public utilities; limiting the amount of fees, taxes and other charges included on a utility bill; amending K.S.A. 13-1223a, 13-1227 and 13-1228 and repealing the existing sections, by Senator Haley.

SB 155, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2024, June 30, 2025, and June 30, 2026, 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. 2-223, 12-1775a and 12-5256 and K.S.A. 2022 Supp. 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 and 79-4804 and repealing the existing sections, by Committee on Ways and Means.

SB 156, AN ACT concerning firearms; repealing statutes that prohibit, limit and otherwise restrict municipal regulation of firearms; repealing K.S.A. 12-16,124, 12-16,124a and 12-16,124b, by Committee on Federal and State Affairs.

SB 157, AN ACT concerning days of commemoration; designating February 15 of each year as Susan B. Anthony Day in the state of Kansas, by Committee on Federal and State Affairs.

SB 158, AN ACT concerning sexually oriented businesses; crimes, punishment and criminal procedure; prohibiting certain acts; creating criminal penalties for violations; establishing the community defense and human trafficking reduction act; amending K.S.A. 2022 Supp. 22-3901 and repealing the existing section, by Committee on Federal and State Affairs.

SB 159, AN ACT concerning economic development; creating the Kansas rural grocery store development incentive act; establishing the grocery business project fund and the Kansas rural grocery business grant fund; amending K.S.A. 2022 Supp. 74-8711 and 79-3606 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 160, AN ACT regarding internet material harmful to minors; requiring age verification for access; establishing a civil cause of action for actual and punitive damages, attorney fees and costs for persons harmed, by Committee on Federal and State Affairs.

SB 161, AN ACT concerning insurance; relating to accident and health insurance; imposing coverage requirements for coverage of diagnostic and supplemental breast examinations; amending K.S.A. 40-2,103 and 40-19c09 and repealing the existing sections, by Committee on Public Health and Welfare.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 129, SB 136.**

Federal and State Affairs: **SB 133, SB 134, SB 135.**

Judiciary: **SB 137; HB 2015, HB 2016, HB 2017, HB 2018.**

Public Health and Welfare: **SB 131.**

Transportation: **SB 130, SB 132.**

COMMUNICATIONS FROM STATE OFFICERS

The following reports were submitted to the Senate and are on file with the Secretary of the Senate:

Kansas Guardianship Program FY 2022 Annual Report (January 31, 2023)

Office of the Attorney General Scrap Metal Theft Reduction Act Annual Report (February 1, 2023)

Kansas Attorney General State Medicaid Fraud Forfeiture Fund Annual Report (February 1, 2023)

Kansas Corporation Commission 2023 Electric Special Contracts/Reduced Rates Biennial Report (February 2, 2023)

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator McGinn introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1706—

A RESOLUTION recognizing February 2, 2023, as Wear Red Day
in the Kansas legislature and the importance of the
ongoing fight against cardiovascular disease among women.

WHEREAS, Wear Red Day is celebrated nationally each year on the first Friday in February to raise awareness and bring greater attention to heart disease as a leading and preventable cause of death, particularly among women; and

WHEREAS, Cardiovascular disease is the number one killer among women in the United States, causing 1 in 3 deaths each year; and

WHEREAS, Heart disease and stroke can affect women at any age, and losing even one woman to cardiovascular disease is one too many; and

WHEREAS, According to the American Heart Association, 87% of all cardiovascular diseases are preventable, which makes awareness, education and research imperative; and

WHEREAS, Since its founding, women have been the backbone of the United States, carrying our nation forward with their strength, be it in the home, in the workplace or in school; and

WHEREAS, Today, women tirelessly carry the burden of the responsibilities of the home and the rest of our nation; and

WHEREAS, While their noble sacrifice helps the nation as a whole, this increases the chances of heart diseases among the very people who nurture and support our society; and

WHEREAS, Our nation wears red on the first Friday of February to raise awareness about cardiovascular disease and help save lives by spreading the good news that most cardiovascular deaths can be prevented by a tobacco-free lifestyle, healthy eating and exercise; and

WHEREAS, The Kansas Legislature wears red on the first Thursday of February for the same reason, in solidarity with the rest of our nation: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That the first Thursday in February shall be known as "Wear Red Day" in the Kansas Legislature to recognize the importance of the ongoing fight against heart disease and stroke among women; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Senator McGinn.

On emergency motion of Senator McGinn **SR 1706** was adopted by voice vote.

On motion of Senator Alley the Senate recessed to the sound of the gavel.

The Senate met pursuant to recess with President Masterson in the chair.

COMMITTEE OF THE WHOLE

On motion of Senator Alley, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator McGinn in the chair.

On motion of Senator McGinn the following report was adopted:

HCR 5002 be adopted.

Amendments offered by Senator Holland failed.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Alley an emergency was declared by a 2/3 constitutional majority, and **HCR 5002** was advanced to Final Action and roll call.

HCR 5002, A CONCURRENT RESOLUTION adopting joint rules for the Senate and the House of Representatives for the 2023-2024 biennium.

On roll call, the vote was: Yeas 31; Nays 4; Present and Passing 2; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Reddi, Ryckman, Shallenburger, Sykes, Thompson, Tyson, Warren, Wilborn.

Nays: Holland, Pittman, Pyle, Ware.

Present and Passing: Francisco, Straub.

Absent or Not Voting: Claeys, Holscher, Steffen.

The resolution was adopted.

Vice President Wilborn assumed the chair.

REPORTS OF STANDING COMMITTEES

Committee on **Financial Institutions and Insurance** recommends **SB 14, SB 15, SB 17, SB 19, SB 23, SB 26** be passed.

Also, **SB 25** be amended on page 1, in line 13, by striking "3%" and inserting "4%"; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 2** be amended on page 2, in line 12, after the period by inserting "Restricted driving privileges approved pursuant to this subparagraph shall remain in effect unless otherwise rescinded for the lesser of time of either:

(a) The remainder of the period of time that such person's driving privileges are revoked; or

(b) three years from the date when the restricted driving privileges were approved.";

Also on page 2, in line 33, after "year" by inserting "for restricted driving privileges issued pursuant to subparagraph (A) or (C), for the period of time specified in subparagraph (B)"; and the bill be passed as amended.

CHANGE OF REFERENCE

Under the authority of the President, the Vice President withdrew **SB 2** from the Calendar under the heading of **General Orders**, and referred the bill to the Committee on **Judiciary**.

On motion of Senator Erickson, the Senate adjourned pro forma until 9:00 a.m., Friday, February 3, 2023.

Journal of the Senate

NINETEENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, February 3, 2023, 9:00 a.m.

The Senate was called to order pro forma by Senator Carolyn McGinn.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 138, SB 147.**

Commerce: **SB 140, SB 159.**

Education: **SB 145.**

Federal and State Affairs: **SB 156, SB 157.**

Judiciary: **SB 141, SB 146, SB 149, SB 158, SB 160.**

Local Government: **SB 150.**

Public Health and Welfare: **SB 139, SB 148, SB 161.**

Transportation: **SB 142, SB 143.**

Utilities: **SB 144, SB 154.**

Ways and Means: **SB 151, SB 152, SB 153, SB 155.**

REPORT ON ENROLLED BILLS

SR 1706 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on February 3, 2023.

TRIBUTES

The Committee on Organization, Calendar, and Rules authorizes the following tributes for the week of January 30 through February 3, 2023:

Senator Alley: congratulating Eldon Headrick on being named the 2022 National EMT of the Year;

Senator Haley: celebrating Hazel Louise Holmes' 102nd Birthday; and

Senator Holland: congratulating Mary Glover on being named the EMS Support Person of the Year.

On motion of Senator Alley, the Senate adjourned pro forma until 2:30 p.m., Monday, February 6, 2023.

Journal of the Senate

TWENTIETH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, February 6, 2023, 2:30 p.m.

The Senate was called to order pro forma by President Ty Masterson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 162, AN ACT creating the Riley county unincorporated area nuisance abatement act; establishing procedures for the removal and abatement of nuisances; providing for the assessment of costs of such abatement, by Committee on Local Government.

SB 163, AN ACT creating the Dwayne Peaslee technical training center district act; requiring submission of the question of creating the Dwayne Peaslee technical training center district to the voters of Douglas county; providing for the establishment of such district and the powers and duties of its board of directors, by Committee on Local Government.

SB 164, AN ACT concerning income taxation; relating to credits; providing a \$2,000 tax credit for qualified employees of licensed child care facilities, by Committee on Commerce.

SB 165, AN ACT concerning workers compensation; permitting compensation for post-traumatic stress disorder suffered by first responders; amending K.S.A. 44-508 and repealing the existing section, by Committee on Commerce.

SB 166, AN ACT concerning electric transmission lines; relating to the state corporation commission; requiring public disclosure of any application submitted for a transmission line siting permit; amending K.S.A. 66-1,178 and repealing the existing section, by Committee on Utilities.

SB 167, AN ACT concerning school districts; relating to student health; requiring certain school district employees to receive training for seizure recognition and related first aid; providing immunity from liability therefor; authorizing the adoption of rules and regulations, by Committee on Education.

SB 168, AN ACT concerning sales taxation; relating to exemptions; authorizing cities and counties to exempt sales of food and food ingredients from such city or county taxes; amending K.S.A. 12-189a and repealing the existing section, by Committee on Assessment and Taxation.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Tuesday, February 7, 2023.

Journal of the Senate

TWENTY-FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, February 7, 2023, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 40 senators present.
Invocation by Reverend Cecil T. Washington:

A Day: Not To Spend; To Invest and Trust
Prov. 27:1, James 4:13-15

Once again Lord, heads are bowed in humility. You've blessed us with another day, a day that had not been promised to us. So help us, as Your Word says in Proverbs 27:1, to not take it for granted.

You've blessed us with another day, not to spend it and see it gone. But to invest in it and see returns that are Godly.

You've given us another day, a day to be grateful for another day. As we interact with one another, as we share this space, as we share the gifts that come from You, it's another day to try and be like You. A day to let everything we say or do spring from a warm place of love and compassion, from hearts marinated in love.

Lord, as Your Word reiterates in James 4:13-15, none of these days are we to take for granted. For this day, tomorrow and all our days are in Your hands.

You've just given us another day to trust You, another day for our faith to be tested, another day to praise Your Holy name. When this day is done, help us to look back on it as one that would truly prove profitable. I pray in the precious name of Jesus. Amen

The Pledge of Allegiance was led by Vice President Wilborn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 169, AN ACT concerning income taxation; relating to rates; providing a 4.75% tax rate for individuals; amending K.S.A. 2022 Supp. 79-32,110 and repealing the existing section, by Committee on Assessment and Taxation.

SB 170, AN ACT concerning housing; relating to assistance animals; enacting the Kansas assistance animals in housing act; creating the crime of misrepresentation of entitlement to an assistance animal in housing and providing penalties therefor, by Committee on Federal and State Affairs.

SB 171, AN ACT concerning health and healthcare; creating the veterans first medical cannabis act; providing for the regulation of the cultivation, distribution, sale and use of medical cannabis; establishing the cannabis regulatory commission;

imposing an excise tax on the cultivation and sale of medical cannabis; amending K.S.A. 65-28a05, 65-28b08, 79-5201 and 79-5210 and K.S.A. 2022 Supp. 21-5703, 21-5705, 21-5706, 21-5707, 21-5709, 21-5710, 65-1120, 65-2836 and 79-3606 and repealing the existing sections, by Senators Holland, Corson, Doll, Faust Goudeau, Francisco, Haley, Pettey and Pittman.

SB 172, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; increasing the lump-sum death benefit; amending K.S.A. 74-4989 and 74-49,315 and repealing the existing sections, by Committee on Ways and Means.

SB 173, AN ACT concerning health and healthcare; relating to medications; authorizing the over-the-counter purchase of ivermectin tablets and hydroxychloroquine tablets, by Committee on Public Health and Welfare.

SB 174, AN ACT concerning crimes, punishment and criminal procedure; relating to interference with law enforcement; increasing criminal penalties when the violation involves fleeing from a law enforcement officer; amending K.S.A. 2022 Supp. 21-5904 and repealing the existing section, by Committee on Judiciary.

SB 175, AN ACT concerning abortion; prohibiting abortion; creating the crimes of unlawful performance of an abortion and unlawful destruction of a fertilized embryo and establishing penalties therefor; restricting the use of fetal tissue; relating to exclusions from sales and use tax exemptions for certain abortion providers; amending K.S.A. 65-2401, 65-2837, 65-6731, 65-6732, 65-67a01, 65-67a02, 65-67a04, 65-67a07, 76-3308 and 79-32,195 and K.S.A. 2022 Supp. 21-5301, 21-5302, 21-5303, 60-1901, 60-1906, 79-32,182b, 79-32,261 and 79-3606 and repealing the existing sections; also repealing K.S.A. 38-2003, 65-445, 65-4a01, 65-4a02, 65-4a03, 65-4a04, 65-4a05, 65-4a06, 65-4a07, 65-4a08, 65-4a09, 65-4a10, 65-4a11, 65-4a12, 65-6701, 65-6702, 65-6703, 65-6704, 65-6705, 65-6707, 65-6708, 65-6709, 65-6710, 65-6711, 65-6712, 65-6714, 65-6715, 65-6721, 65-6722, 65-6723, 65-6724, 65-6725, 65-6726, 65-6741, 65-6742, 65-6743, 65-6744, 65-6745, 65-6746, 65-6747, 65-6748, 65-6749 and 65-67a09, by Committee on Public Health and Welfare.

SB 176, AN ACT concerning the behavioral sciences; increasing the membership of the behavioral sciences regulatory board; relating to licensure and regulation; professional counselors, social workers, marriage and family therapists, addiction counselors, behavior analysts, psychologists and master's level psychologists; decreasing the years of practice required for reciprocity licensure; requiring that clinical social work supervisors be approved by the board; providing additional continuing education requirements; establishing license categories for applicants from social work programs in candidacy for accreditation and for temporary reinstatement; extending the license period of temporary licenses; amending K.S.A. 65-5802, 65-5806, 65-6302, 65-6313, 65-6314, 65-6402, 65-6407, 65-6608, 65-6614, 65-6618, 65-7504, 65-7505, 74-5302, 74-5318, 74-5361, 74-5365, 74-5366, 74-5367 and 74-7501 and K.S.A. 2022 Supp. 65-5804a, 65-5807, 65-5808, 65-6306, 65-6309, 65-6322, 65-6404, 65-6405, 65-6406, 65-6411, 65-6610, 65-6611, 65-6613, 74-5310, 74-5315, 74-5316, 74-5363 and 74-5375 and repealing the existing sections; also repealing K.S.A. 74-5339, by Committee on Public Health and Welfare.

SB 177, AN ACT concerning legal holidays; declaring Juneteenth National Independence Day to be a legal public holiday; relating to the closure of state offices for the observance of certain legal public holidays; amending K.S.A. 35-107 and repealing

the existing section, by Senators Faust Goudeau and Haley.

SB 178, AN ACT concerning property taxation; relating to delinquent taxes; requiring judicial foreclosure public auctions to be conducted in person at a physical location in the county; amending K.S.A. 79-2804 and repealing the existing section, by Senator Haley.

SB 179, AN ACT concerning property taxation; relating to delinquent taxes; providing that payment of special assessments for years other than the year being redeemed is not required for purposes of partial redemption of homesteads; amending K.S.A. 79-2401a and repealing the existing section, by Senator Haley.

SB 180, AN ACT establishing the women's bill of rights; providing a meaning of biological sex for purposes of statutory construction, by Committee on Public Health and Welfare.

SB 181, AN ACT concerning children and minors; relating to cities and counties; establishing city and county child death review boards; permitting and requiring disclosure of records; amending K.S.A. 22a-241 and K.S.A. 2022 Supp. 22a-243 and repealing the existing sections, by Committee on Public Health and Welfare.

SB 182, AN ACT concerning criminal procedure; relating to restitution; requiring a person convicted of an offense that resulted in the incapacitation or death of a victim who is the parent or guardian of a minor child to pay restitution in the form of child support, by Senator Haley.

SB 183, AN ACT concerning crimes, punishment and criminal procedure; relating to criminal discharge of a firearm; increasing the penalty for violations when a person was present in the dwelling, building, structure or motor vehicle at which the offender discharged a firearm and when a person less than 14 years of age was present in the dwelling, building, structure or motor vehicle at which the offender discharged a firearm; amending K.S.A. 2022 Supp. 21-6308 and 21-6804 and repealing the existing sections, by Senator Haley.

SB 184, AN ACT concerning education; relating to certain nonpublic schools; requiring participation in state assessments; requiring website publication of performance accountability and longitudinal achievement reports; amending K.S.A. 2022 Supp. 72-5178 and repealing the existing section, by Senator Holscher.

SB 185, AN ACT concerning education; relating to school districts; authorizing a teacher and a student to serve as non-voting members of boards of education; amending K.S.A. 72-1072, 72-1091 and 72-1137 and K.S.A. 2022 Supp. 72-1073 and 72-1133 and repealing the existing sections, by Senator Holscher.

SB 186, AN ACT concerning deprivation of rights under color of law; creating the crime of deprivation of rights under color of law; authorizing a civil cause of action; requiring restitution; amending K.S.A. 2022 Supp. 22-3424 and repealing the existing section, by Senator Haley.

SB 187, AN ACT concerning civil actions; relating to actions for wrongful conviction and imprisonment; providing for payment of interest; directing the attorney general to file certain collateral actions; amending K.S.A. 2022 Supp. 60-5004 and repealing the existing section, by Senator Haley.

SB 188, AN ACT concerning crimes, punishment and criminal procedure; relating to promotion to minors of material harmful to minors; removing an affirmative defense for public, private and parochial schools; amending K.S.A. 2022 Supp. 21-6402 and repealing the existing section, by Committee on Judiciary.

SB 189, AN ACT concerning law enforcement; relating to applicants for a law enforcement officer position; authorizing state and local law enforcement agencies to receive certain files and information about the applicant from agencies that received an application from the applicant for a law enforcement position or conducted an employment background investigation; amending K.S.A. 75-4379 and repealing the existing section, by Committee on Judiciary.

SB 190, AN ACT concerning crimes, punishment and criminal procedure; release prior to trial; requiring a waiver of extradition proceedings as a condition of release prior to trial for any person charged with a felony; amending K.S.A. 2022 Supp. 22-2802 and repealing the existing section, by Committee on Judiciary.

SB 191, AN ACT concerning the adult care home licensure act; relating to involuntary transfer or discharge of residents from an adult residential care facility; creating a right to appeal an involuntary transfer or discharge; requiring the secretary for aging and disability services to review notices and preside over appeals, by Committee on Judiciary.

SB 192, AN ACT concerning driving; relating to drivers' licenses; eligibility for restricted driving privileges; removing and delaying payment for fees that apply to individuals for failure to comply with a traffic citation; providing for payment plans and waiver of fines; eliminating reinstatement of certain fees; requiring certain contact information on a traffic citation; amending K.S.A. 8-2106 and 8-2110 and repealing the existing sections, by Committee on Judiciary.

SB 193, AN ACT concerning crimes, punishment and criminal procedure; enacting the reduce armed violence act; increasing criminal penalties for certain violations of criminal possession of a weapon by a convicted felon that involve firearms; amending K.S.A. 2022 Supp. 21-6804 and repealing the existing section, by Committee on Judiciary.

SB 194, AN ACT concerning hospital districts; relating to the qualifications of hospital board members; removing the requirement that such members be qualified electors; amending K.S.A. 80-2506 and repealing the existing section, by Committee on Ways and Means.

SB 195, AN ACT concerning the children's cabinet; authorizing the cabinet to establish a nonprofit corporation to raise funds to benefit the Dolly Parton's imagination library book gifting program, by Committee on Ways and Means.

SB 196, AN ACT concerning taxation; relating to the local ad valorem tax reduction fund; reinstating transfers to the local ad valorem tax reduction fund (LAVTRF); amending K.S.A. 2022 Supp. 79-2959 and repealing the existing section, by Senator Pittman.

SB 197, AN ACT concerning elections; relating to voter registration; allowing voters to register on election day; amending K.S.A. 25-2311 and 25-3602 and K.S.A. 2022 Supp. 25-2316c and repealing the existing sections, by Senators Pittman, Corson and Holscher.

SB 198, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; providing a postretirement cost-of-living adjustment for certain retirants, by Senator Pittman.

SB 199, AN ACT concerning financial institutions; relating to the technology-enabled fiduciary financial institutions act; authorizing the state banking board to deny, suspend or revoke the charter of a fiduciary financial institution in certain

circumstances; providing procedures therefor; requiring fiduciary financial institutions to purchase a surety bond; establishing a civil money penalty for violations, by Senator Holland.

SB 200, AN ACT concerning the legislature; establishing term limits for the speaker of the house of representatives and the president of the senate, by Senator Holland.

SB 201, AN ACT concerning adult-oriented businesses; relating to drag shows; prohibiting the expenditure of any state moneys for drag shows targeting minors; providing criminal penalties for violations of the act, by Committee on Federal and State Affairs.

SB 202, AN ACT concerning elections; relating to ranked-choice voting; enacting the Kansas ranked-choice voting act, by Committee on Federal and State Affairs.

SB 203, AN ACT concerning the state board of regents; enacting the Kansas campus restoration act; relating to deferred maintenance of facilities at state educational institutions; providing rules and regulations authority; establishing the Kansas campus restoration fund in the state treasury; authorizing certain transfers from the state general fund to the Kansas campus restoration fund; requiring annual reports to certain committees of the legislature, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 164**, **SB 168**.

Commerce: **SB 165**.

Education: **SB 167**.

Local Government: **SB 162**, **SB 163**.

Utilities: **SB 166**.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Bowers introduced the following Senate resolution, which was read:
SENATE RESOLUTION No. 1707—

A RESOLUTION recognizing the Kansas Chiropractic Association's groundbreaking history and its continued work for Kansas chiropractic physicians.

WHEREAS, The Kansas Chiropractic Association (KCA) was formed in 1911 and is the oldest chiropractic association in the United States; and

WHEREAS, In 1913, the KCA was instrumental in the creation of a Kansas law, which licensed chiropractic practice in Kansas – the first law of its kind in the world; and

WHEREAS, As the first state in the nation to have a doctor obtain a chiropractic license, Kansas spearheaded the licensed chiropractic practice movement in the United States; and

WHEREAS, KCA promotes the long, bountiful and pioneering history of chiropractic practice in Kansas; and

WHEREAS, KCA protects and preserves the art, science and philosophy of the chiropractic practice in Kansas; and

WHEREAS, KCA advocates on behalf of more than 1,000 chiropractic physicians by providing a unified voice in government relations, public policy and a positive vision

for the profession; and

WHEREAS, KCA members provide leadership throughout healthcare by demanding the highest educational standards and adherence to the highest moral and ethical standards: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we recognize the groundbreaking and storied history of the Kansas Chiropractic Association; and

Be it further resolved: That we applaud the essential and ongoing work that the Kansas Chiropractic Association accomplishes on behalf of chiropractic physicians in Kansas; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Senator Bowers.

On emergency motion of Senator Bowers **SR 1707** was adopted by voice vote.

COMMUNICATIONS FROM STATE OFFICERS

The following reports were submitted to the Senate and are on file with the Secretary of the Senate:

State Treasurer FY 2022 Annual Report Low-income Family Postsecondary Saving Accounts Incentive Program (January 31, 2023)

State Long-Term Care Ombudsman FY 2022 Annual Report (February 4, 2023)

Department of Commerce STAR Bonds Annual Report (February 4, 2023)

Department of Commerce APEX Annual Report (February 4, 2023)

Department of Commerce Rural Opportunity Zones Annual Report (February 4, 2023)

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 59** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Your Committee on **Judiciary** begs leave to submit the following report:

The following appointment was referred to and considered by the committee and your committee recommends that the Senate approve and consent to such appointment:

By the Attorney General:

Director, Kansas Bureau of Investigation: K.S.A. 75-711

Anthony Mattivi, to serve at the pleasure of the Attorney General

Committee on **Ways and Means** recommends **SB 42** be passed.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Wednesday, February 8, 2023.

Journal of the Senate

TWENTY-SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, February 8, 2023, 2:30 p.m.

The Senate was called to order by President Ty Masterson.

The roll was called with 40 senators present.

Invocation was delivered by Reverend Cecil T. Washington.

The President introduced Haylie Bagwell, Southeast Kansas native and guest of Senator Peck, who sang the National Anthem.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 204, AN ACT concerning financial institutions; relating to the technology-enabled fiduciary financial institutions act; replacing the definition of "charitable beneficiaries" with "qualified charities" therein; amending K.S.A. 9-2301 and repealing the existing section, by Joint Committee on Fiduciary Financial Institutions Oversight.

SB 205, AN ACT concerning water; relating to water rights; authorizing certain water rights in a water bank to participate in multi-year flex accounts on a temporary basis; amending K.S.A. 82a-764 and repealing the existing section, by Committee on Agriculture and Natural Resources.

SB 206, AN ACT concerning abortion; enacting the medical autonomy/accessibility and truth act; relating to the no taxpayer funding for abortion act and the woman's-right-to-know act; removing certain provisions thereof to allow for insurance coverage for abortions, provide tax benefits for abortion-related services and remove inaccurate statements regarding the risks of abortion; repealing the pain-capable unborn child act; amending K.S.A. 40-2,103, 40-19c09, 40-2246, 65-6709, 65-6733, 65-6734, 65-6737, 76-3308 and 79-32,195 and K.S.A. 2022 Supp. 79-32,117, 79-32,138, 79-32,182b and 79-32,261 and repealing the existing sections; also repealing K.S.A. 40-2,190, 40-2,191, 65-6722, 65-6723, 65-6724 and 65-6725, by Senators Holland and Francisco.

SB 207, AN ACT concerning education; relating to school districts and employees thereof; requiring parental consent for use of a student's pronouns; prohibiting schools from requiring use of an individual's pronouns over moral or religious objections; requiring school districts to adopt policies thereon, by Committee on Education.

SB 208, AN ACT concerning elections; relating to advance voting ballots; restricting the number of remote ballot boxes that may be used for the return of such ballots; providing monitoring requirements for the use of such ballot boxes, by Committee on Federal and State Affairs.

SB 209, AN ACT concerning elections; relating to advance voting ballots; requiring the return of such ballots by 7 p.m. on the day of the election; amending K.S.A. 25-

1132 and repealing the existing section, by Committee on Federal and State Affairs.

SB 210, AN ACT concerning elections; relating to candidate names on ballots; allowing candidates for nonpartisan offices to have such candidate's political party affiliation provided on the ballot with such candidate's name; amending K.S.A. 25-613 and repealing the existing section, by Committee on Federal and State Affairs.

SB 211, 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. 38-2255, 38-2271, 38-2303, 38-2312, 38-2365, 39-970, 39-2009, 65-5117, 72-2165 and 75-52,148 and K.S.A. 2022 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 and 23-3222 and repealing the existing sections; also repealing K.S.A. 2022 Supp. 21-5401, 21-6614i, 21-6617 and 21-6619, by Senators McGinn, Bowers, Dietrich, Doll, Faust Goudeau, Francisco, Haley, Holscher, Longbine, Pettey, Pittman, Reddi, Sykes and Ware.

SB 212, AN ACT concerning health and healthcare; relating to emergency medical services; staffing of ambulances; permitting an ambulance to operate with one emergency medical service provider in rural counties; amending K.S.A. 2022 Supp. 65-1635 and repealing the existing section, by Senator Straub.

SB 213, AN ACT concerning public health and welfare; relating to healthcare data; requiring healthcare providers to charge the same amount for medical records requests related to a patient's social security disability, workers compensation, medical malpractice or personal injury claims whether requested by a patient or a patient's legal representative; amending K.S.A. 65-6821 and 65-6836 and repealing the existing sections, by Senator Francisco.

SB 214, AN ACT concerning public utilities; relating to electric, natural gas and water utilities; prohibiting recovery of dues, donations or contributions made to charitable and social organizations in customer rates; requiring the state corporation commission to disallow such expenditures in rate proceedings; amending K.S.A. 66-101f, 66-1,206 and 66-1,236 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 215, AN ACT concerning railroads; establishing the Kansas rail safety improvement act; providing for safety requirements for railroad operations and crossings; allowing for the transfer of title for abandoned railroad tracks to municipalities, by Committee on Ways and Means.

SB 216, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against the public safety; adding possessing or using a firearm during the commission of certain drug crimes to the crime of criminal use of weapons; creating a special sentencing rule of presumptive imprisonment for violations thereof; amending K.S.A. 2022 Supp. 21-6301 and 21-6804 and repealing the existing sections, by Committee on Judiciary.

SB 217, AN ACT concerning the unlawful use of electronic tracking systems or tracking information; relating to stalking; providing criminal penalties for the conduct of utilizing any electronic tracking system or acquiring tracking information to determine the targeted person's location, movement or travel patterns when done as part of an unlawful course of conduct; authorizing orders to prohibit such conduct under the

Kansas family law code, the revised Kansas code for care of children, the protection from abuse act and the protection from stalking, sexual assault or human trafficking act; amending K.S.A. 38-2243, 38-2244 and 38-2255 and K.S.A. 2022 Supp. 21-5427, 23-2707, 60-3107 and 60-31a06 and repealing the existing sections, by Committee on Judiciary.

SB 218, AN ACT concerning elections; relating to voter registration; requiring the assignment of registered voters whose residence has no corresponding mailing address to the voting precinct where such voter resides; amending K.S.A. 25-2305a and repealing the existing section, by Committee on Federal and State Affairs.

SB 219, AN ACT concerning insurance; relating to the healthcare provider insurance availability act; designating certain healthcare providers as being ineligible to purchase professional liability insurance from the healthcare stabilization fund; requiring such healthcare providers to maintain continuous professional liability insurance coverage equivalent to that provided by the healthcare stabilization fund as a condition of licensure; amending K.S.A. 40-3401 and 40-3403a and repealing the existing sections, by Committee on Federal and State Affairs.

SB 220, AN ACT concerning elections; relating to advance voting ballots; establishing uniform requirements for envelopes for returning such ballots; amending K.S.A. 25-1120 and 25-1121 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 221, AN ACT concerning elections; relating to write-in candidates; requiring affidavits of write-in candidacy for certain locally elected offices; providing requirements for counting write-in votes on ballots; amending K.S.A. 25-305, 25-2116, 25-2903 and 25-3002 and repealing the existing sections; also repealing K.S.A. 25-305b, by Committee on Federal and State Affairs.

SB 222, AN ACT concerning information technology; relating to online platforms and removal of liability protections therefor; requiring wireless communication device vendors to provide parental notification of application downloads by a minor, by Committee on Federal and State Affairs.

SENATE CONCURRENT RESOLUTION No. SCR 1604—

By Senator Pittman

A PROPOSITION to amend section 1 of article 11 of the constitution of the state of Kansas; relating to property taxation; limiting valuation increases for residential property.

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the Senate and two-thirds of the members elected (or appointed) and qualified to the House of Representatives 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~~ 2024, 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 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.

The valuation of any parcel of real property used for residential purposes and any mobile home used for residential purposes shall not increase by more than 5% in any taxable year except when substantial additions, improvements or renovations have been made to the property. The legislature may provide by law additional uniform conditions or circumstances or emergency conditions under which this valuation limitation does not apply. The legislature may define substantial additions, improvements or renovations by law and enact such other legislation as is necessary to administer this provision.

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 purposes11½%
- (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 limit annual valuation increases to 5% for residential real property (real estate) and personal property mobile homes except when substantial additions, improvements or renovations have been made to the property. The amendment would also authorize the legislature to provide additional uniform conditions or circumstances or emergency conditions under which the valuation limitation would not apply.

"A vote for this proposition would limit annual valuation increases to 5% for any parcel of real property used for residential purposes and any mobile home used for residential purposes except when substantial additions, improvements or renovations have been made to the property. The amendment would also authorize the legislature to provide additional uniform conditions or circumstances or emergency conditions under which this limitation provision would not apply, to define substantial additions, improvements or renovations and to enact such other legislation as is necessary to administer the provision.

"A vote against this proposition would provide no change to the Kansas constitution."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the Senate and two-thirds of the members elected (or appointed) and qualified to the House of Representatives, 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 November 7, 2023, pursuant to section 1 of article 11 of the constitution of the state of Kansas, to be held in conjunction with the general election held on such date.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 169, SB 178, SB 179, SB 196.**

Education: **SB 184, SB 185.**

Federal and State Affairs: **SB 171, SB 177, SB 197, SB 200, SB 202.**

Financial Institutions and Insurance: **SB 199.**

Judiciary: **SB 170, SB 174, SB 182, SB 183, SB 186, SB 187, SB 188, SB 189, SB 190, SB 192, SB 193, SB 201.**

Local Government: **SB 194.**

Public Health and Welfare: **SB 173, SB 175, SB 176, SB 180, SB 181, SB 191.**

Ways and Means: **SB 172, SB 195, SB 198, SB 203.**

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Alley introduced the following Senate resolution, which was read:
SENATE RESOLUTION No. 1708—

A RESOLUTION designating February 8, 2023, as JAG-K Day at the Capitol.

WHEREAS, Jobs for America's Graduates-Kansas (JAG-K) is a 501(c)(3) not-for-profit organization that partners with public schools, communities and employers to help students overcome challenges and prepare for successful futures; and

WHEREAS, There are 104 traditional school-to-career JAG-K programs located in 48 school districts across Kansas in the current school year, 2022-2023; and

WHEREAS, JAG-K is an evidence-based program with objective performance measures; and

WHEREAS, JAG-K has a 95% graduation rate statewide, and 86% of JAG-K graduates are full-time participants in post-secondary education, military service or the workforce; and

WHEREAS, JAG-K works with students in foster care, and their graduation rate is more than 20% higher than the state average for students in foster care who do not participate in a JAG-K program; and

WHEREAS, In a small group classroom setting, students explore career opportunities and learn the skills necessary to successfully transition to post-secondary education, military service or the workforce following their graduation; and

WHEREAS, Nationally, JAG graduates are 230% more likely to be employed than peers who are not in a JAG program: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we designate February 8, 2023, as JAG-K Day at the Capitol; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Senator Alley.

On emergency motion of Senator Alley **SR 1708** was adopted by voice vote.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 30, SB 33, SB 40, SB 60, SB 94** be passed.

Also, **SB 53** be amended on page 12, in line 39, after "after" by inserting "January 1, 2024, and"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 73** be passed.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Thursday, February 9, 2023.

Journal of the Senate

TWENTY-THIRD DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, February 9, 2023, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.

The roll was called with 39 senators present.

Senator Erickson was excused.

Invocation by Doug Henkle:

Gracious Heavenly Father, thank You for Your presence in the Kansas Senate this afternoon. Remind this body that they have come together here, to serve the people of Kansas by whom they have been elected. As servants, cause them to be diligent, faithful and humble.

Thank You for Your freely given, unmerited favor and love. Cause these senators, who You love dearly, to have confidence in You – that You are at work, that You are in full control and that You are in the midst of all that happens here. Because of that, dear Father, give them joy and peace as they serve. I pray that as You have commanded us, we would love one another as You have loved us, despite differing views and approaches to the issues at hand.

I thank You for the individual giftings and perspectives of each senator and the way You work them together to accomplish Your will. Give each senator Your wisdom and direction as the legislation before them is debated.

I ask that You continue to give President Masterson, Vice President Wilborn, Majority Leader Alley and Minority Leader Sykes Your divine wisdom and insight as they lead this chamber through the challenges of the legislative process.

I ask that You will in each of us individually and collectively in these hours in the Kansas Senate, be accomplished. In Jesus' Name, Amen.

The Pledge of Allegiance was led by Vice President Wilborn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 223, AN ACT concerning elections; changing the candidate filing deadline and the date of primary elections; increasing campaign contribution limits under the campaign finance act; modifying restrictions on campaign activities during legislative sessions; amending K.S.A. 25-203, 25-205, 25-302a, 25-1115, 25-1122, 25-1903, 25-2006, 25-2010, 25-2018, 25-2102, 25-2107, 25-2108a, 25-2109, 25-21a01, 25-21a03, 25-2502, 25-26a03, 25-3801, 25-3901, 25-4004, 25-4005, 25-4153, 25-4153a, 71-1413, 71-1414 and 71-1422 and K.S.A. 2022 Supp. 19-3505 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 224, AN ACT concerning environmental, social and governance standards involving contracts, investments and business practices; relating to ideological boycotts or other discriminatory conduct; enacting the Kansas protection of pensions and businesses against ideological interference act; directing the board of trustees of the Kansas public employees retirement system to divest from investments with entities engaged in ideological boycotts; establishing conditions and procedures for divestment; requiring the state treasurer to publish a list of financial companies and financial institutions engaged in ideological boycotts; authorizing the state treasurer to disqualify listed financial institutions from receiving deposit of state moneys; prohibiting governmental contracts without written verification that a contractor is not engaged in ideological boycotts; directing fiduciaries of governmental plans that provide retirement benefits, defer employee income or invest taxpayer moneys to act only in the financial interest of such plans; requiring registered investment advisers to make certain disclosures to clients and obtain written consent of clients prior to investing client funds in investments engaged in ideological boycotts; providing for civil and criminal penalties; amending K.S.A. 75-4208 and K.S.A. 2022 Supp. 40-2404 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 225, AN ACT concerning health and healthcare; establishing the KanCare bridge to a healthy Kansas program; relating to medical assistance; expanding income limits for eligibility to 138% of the federal poverty level, by Committee on Ways and Means.

SB 226, AN ACT concerning education; relating to student data; authorizing educational agencies to disclose student data for the purpose of conducting research contracted for by an educational agency; amending K.S.A. 72-6314 and repealing the existing section, by Committee on Education.

SB 227, AN ACT concerning sales and compensating use taxation; relating to the collection and remittance of taxes; allowing for the retention of taxes by a retailer on movie ticket and concession sales, by Committee on Assessment and Taxation.

SB 228, AN ACT concerning county jails; removing the requirement that every county shall have a jail; modernizing requirements related to food, drink and medical care for prisoners and jail records; modifying procedures used when district courts commit prisoners to jail in another county and when counties contract with city jails or other county jails to keep prisoners; requiring a medical examination before certain United States prisoners or city prisoners are taken into custody of a county jail; amending K.S.A. 19-1901, 19-1903, 19-1904, 19-1905, 19-1910, 19-1911, 19-1916, 19-1917, 19-1927, 19-1929 and 19-1930 and repealing the existing sections; also repealing K.S.A. 19-1906, 19-1907, 19-1908, 19-1912, 19-1913, 19-1914 and 19-1915, by Committee on Judiciary.

SB 229, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the city of Topeka license plate, by Committee on Commerce.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture and Natural Resources: **SB 205**.

Assessment and Taxation: **SCR 1604**.

Education: **SB 207**.

Federal and State Affairs: **SB 208, SB 209, SB 210, SB 218, SB 220, SB 221,**

SB 222.

Financial Institutions and Insurance: **SB 204.**

Judiciary: **SB 211, SB 216, SB 217.**

Local Government: **SB 212.**

Public Health and Welfare: **SB 206, SB 213, SB 219.**

Transportation: **SB 215.**

Utilities: **SB 214.**

MESSAGES FROM THE GOVERNOR

Enclosed herewith is Executive Directive No. 23-565 for your information. (February 7, 2023)

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2033, HB 2042, HB 2069, HB 2070.**

Announcing passage of **HB 2010, HB 2014, HB 2065.**

Announcing adoption of **SCR 1602.**

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2010, HB 2014, HB 2033, HB 2042, HB 2065, HB 2069, HB 2070 were thereupon introduced and read by title.

On motion of Senator Alley, the Senate recessed until the sound of the gavel.

The Senate met pursuant to recess with President Masterson in the chair.

CONSIDERATION OF APPOINTMENTS

In accordance with Senate Rule 55, the following appointments submitted to the Senate for confirmation were considered:

Senator Alley moved the following appointments be confirmed as recommended by the Committee on **Judiciary**

By the Attorney General

On the appointment to the:

Kansas Bureau of Investigation:

Anthony (Tony) Mattivi

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Erickson.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Board of Indigents Defense Services:

Maurice Brewer, Term ends January 15, 2024

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Erickson.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Board of Indigents Defense Services:

Alexandra (Nicki) Rose, Term ends January 15, 2025

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Erickson.

The appointment was confirmed.

Committee on Federal and State Affairs

By the Governor

On the appointment to the:

State Civil Service Board:

Chrystal Krier, Term ends March 15, 2026

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Erickson.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Civil Service Board:

Jacob (Jake) Miller, Term ends March 15, 2026

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware,

Warren, Wilborn.

Absent or Not Voting: Erickson.

The appointment was confirmed.

Committee on Confirmation Oversight

By the Governor

On the appointment to the:

State Banking Board:

Ruth Stevenson, Term ends March 15, 2025

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Erickson.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Banking Board:

Lea Tatum-Haskell, Term ends March 15, 2025

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Erickson.

The appointment was confirmed.

By the Governor

On the appointment to the:

State Banking Board:

Patrick Walden, Term ends March 15, 2025

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Erickson.

The appointment was confirmed.

COMMITTEE OF THE WHOLE

On motion of Senator Alley, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with

Senator Petersen in the chair.

On motion of Senator Petersen the following report was adopted:

SB 14, SB 15, SB 17, SB 19, SB 26, SB 42 be passed.

SCR 1603 be adopted.

SB 25 be amended by the adoption of the committee amendments, be further amended by motion of Senator Longbine; on page 1, in the title, in line 2, by striking "3%" and inserting "4%"

and **SB 25** be passed as further amended.

FINAL ACTION ON CONSENT CALENDAR

SB 11, SB 39 having appeared on the Consent Calendar for the required two full legislative days without objection from any member, were considered on final action.

SB 11, AN ACT concerning the state capitol; reauthorizing the permanent placement of a life-size version of the "Ad Astra" sculpture on state capitol grounds; transferring approval authority to the capitol preservation committee; making and concerning appropriations for the fiscal year ending June 30, 2023, for the department of administration; amending K.S.A. 75-2256 and repealing the existing section.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Erickson.

The bill passed.

SB 39, AN ACT concerning the state capitol; relating to permanent displays and murals; directing the capitol preservation committee to develop and approve plans for a mural honoring the 1st Kansas (Colored) Voluntary Infantry regiment; creating the 1st Kansas (Colored) Voluntary Infantry regiment mural fund; amending K.S.A. 75-2264 and repealing the existing section.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Erickson.

The bill passed.

EXPLANATION OF VOTE

I am so proud to join a seemingly unanimous vote in favor of developing and approving plans for a permanent mural in our Kansas State Capitol honoring the 1st Kansas (Colored) Voluntary Infantry. This decorated regiment brought honor to Kansas for the heroic service of its' all African-American legion on and off the fields of combat.

It is only just and most fitting that this legislation, first adopted in this Chamber at the advocacies of the late distinguished Senators U.L. “Rip” Gooch (SG) and Sherman Jones (WY) and in the House by members such as myself and several others in 2000, after being ignored and shelved (due, allegedly, to waiting until after the then planned Capitol restoration was completed) is being revived and now passed during Black History Month in Kansas. Let us look forward soon to the actual unveiling of an eternal mural in this grand building remembering a distinguished battalion in which we should ALL, as Kansans, take pride.—DAVID HALEY

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Alley an emergency was declared by a 2/3 constitutional majority, and **SB 14**, **SB 15**, **SB 17**, **SB 19**, **SB 25**, **SB 26**, **SB 42**; **SCR 1603** were advanced to Final Action and roll call.

SB 14, AN ACT concerning insurance; relating to risk-based capital requirements; updating the version of instructions in effect; amending K.S.A. 2022 Supp. 40-2c01 and repealing the existing section.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Erickson.

The bill passed.

SB 15, AN ACT concerning insurance; relating to penalties; failure of agents or brokers to pay premiums; removing the requirement of a documented written demand for premiums as part of a prima facie case; amending K.S.A. 40-247 and repealing the existing section.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Erickson.

The bill passed.

SB 17, AN ACT concerning insurance; relating to prepaid service plans; certificates of registration; discontinuing annual registration fees for such plans; modifying the requirement to report individuals who solicit memberships on behalf of such plans from semi-annually to annually and upon application for registration; amending K.S.A. 40-4209 and repealing the existing section; also repealing K.S.A. 40-4203.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll,

Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Erickson.

The bill passed.

SB 19, AN ACT concerning insurance; relating to premium tax; adjusting the basis upon which certain premium tax calculations are made; requiring such premium taxes to be paid 90 days after each calendar year and basing such premium taxes upon the gross premiums collected for the previous calendar year; amending K.S.A. 12-2624 and 44-588 and repealing the existing sections.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Erickson.

The bill passed.

SB 25, AN ACT concerning insurance; relating to premium tax; decreasing such tax rate imposed from 6% to 4% on surplus lines insurance; amending K.S.A. 40-246c and repealing the existing section.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Erickson.

The bill passed as amended.

SB 26, AN ACT concerning insurance; relating to health maintenance organizations and medicare provider organizations; applications for certificates of authority; specifying certain requirements necessary to demonstrate fiscal soundness; amending K.S.A. 40-3203 and repealing the existing section.

On roll call, the vote was: Yeas 38; Nays 1; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Holland.

Absent or Not Voting: Erickson.

The bill passed.

SB 42, 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.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Erickson.

The bill passed.

SCR 1603, A CONCURRENT RESOLUTION urging the President of the United States to consider current geopolitical tensions and support policies to ensure America's long-term energy affordability, security, leadership and progress.

On roll call, the vote was: Yeas 28; Nays 10; Present and Passing 1; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Present and Passing: Francisco.

Absent or Not Voting: Erickson.

The resolution was adopted.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SB 116** be passed.

Committee on **Transportation** recommends **SB 106** be amended on page 2, in line 18, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Also, **SB 143** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

REPORT ON ENROLLED BILLS

SCR 1602 reported correctly enrolled, properly signed and presented to the Secretary of State on February 9, 2023.

SR 1707, **SR 1708** reported correctly enrolled, properly signed and presented to the Secretary of the Senate on February 9, 2023.

On motion of Senator Alley, the Senate adjourned pro forma until 11:00 a.m. February 10, 2023.

Journal of the Senate

TWENTY-FOURTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, February 10, 2023, 11:00 a.m.

The Senate was called to order pro forma by Vice President Rick Wilborn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 230, AN ACT concerning income taxation; relating to qualified governmental retirement plans under the federal internal revenue code; state income tax treatment of certain pre-tax and Roth retirement contributions; enacting the Kansas thrift savings plan act; establishing terms, conditions and requirements related thereto; creating mandatory, deferred compensation, employer and rollover accounts; providing for plan document, membership elections, benefits, contributions, distributions and prospective plan changes by the legislature; relating to the Kansas public employees retirement system; employer contribution rate; allowing total covered payroll to include compensation of thrift savings plan members; amending K.S.A. 2022 Supp. 74-4920 and repealing the existing section, by Committee on Assessment and Taxation.

SB 231, AN ACT concerning postsecondary education; relating to tuition; providing for the waiver of tuition for certain children of qualifying public school teachers; deeming certain children of qualifying public school teachers as residents for tuition purposes; amending K.S.A. 76-729 and repealing the existing section, by Committee on Ways and Means.

SB 232, AN ACT concerning children and minors; establishing the office of the child advocate as an independent state agency and prescribing certain powers, duties and functions therefor; authorizing access to certain records; amending K.S.A. 38-2213, 38-2309 and 38-2310 and K.S.A. 2022 Supp. 38-2211 and 38-2212 and repealing the existing sections, by Committee on Judiciary.

SB 233, AN ACT concerning gender identity medical care; creating a civil cause of action against a physician who performs childhood gender reassignment service; requiring revocation of a physician's license if such physician performs childhood gender reassignment service; amending K.S.A. 2022 Supp. 65-2836 and repealing the existing section, by Committee on Federal and State Affairs.

SB 234, AN ACT concerning public health and welfare; relating to a closed-loop referral system; requiring consent for an individual's information to be added to or transmitted by a closed-loop referral system, by Committee on Public Health and Welfare.

SB 235, AN ACT concerning insurance; relating to healthcare benefits; health insurance plans and related coverage; granting third-party access to provider network

contracts if certain criteria are met; establishing requirements and restrictions for the payment and reimbursement of healthcare services; amending K.S.A. 2022 Supp. 40-2,225, 40-2,226 and 40-2,227 and repealing the existing sections, by Committee on Public Health and Welfare.

SB 236, AN ACT concerning insurance; relating to pharmacy benefits managers; the federal 340B drug pricing program; prohibiting disparate treatment of pharmacies based upon participation in the 340B program; requiring drug manufacturers to provide 340B pricing to pharmacies that enter into contractual agreements covered under the 340B program; prohibiting pharmacy benefits managers from denying patients the use of the pharmacy and healthcare provider chosen by such patients, by Committee on Public Health and Welfare.

SB 237, AN ACT concerning the Kansas standard asset seizure and forfeiture act; requiring a conviction prior to forfeiture; remitting proceeds to the state general fund; requiring proof beyond a reasonable doubt that property is subject to forfeiture; requiring seizing agencies to make forfeiture reports more often; amending K.S.A. 2022 Supp. 60-4104, 60-4105, 60-4106, 60-4109, 60-4112, 60-4113, 60-4114, 60-4117 and 60-4127 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 238, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes involving controlled substances; adding the placing of controlled substances into pills into the definition of manufacture; increasing the criminal penalties for manufacturing or distributing fentanyl-related controlled substances; creating a special sentencing rule for manufacturing or distributing fentanyl-related controlled substances and any controlled substances that are likely to be attractive to minors because of their appearance or packaging; amending K.S.A. 2022 Supp. 21-5701, 21-5703, 21-5705 and 21-6805 and repealing the existing sections; also repealing K.S.A. 2022 Supp. 21-5701b, by Committee on Judiciary.

SB 239, AN ACT concerning criminal procedure; providing that certain witnesses shall have the right to be accompanied by a support person during testimony and may be accompanied by a certified critical incident response therapy K9 team, by Committee on Judiciary.

SB 240, AN ACT concerning crimes, punishment and criminal procedure; relating to aggravated endangering a child; increasing the criminal penalties in certain environments where any person is distributing, possessing with intent to distribute, manufacturing or attempting to manufacture fentanyl-related controlled substances; amending K.S.A. 2022 Supp. 21-5601 and repealing the existing section, by Committee on Judiciary.

SB 241, AN ACT concerning children and minors; relating to juvenile offenders; requiring certain records to be automatically expunged from a juvenile's record; amending K.S.A. 38-2312 and repealing the existing section, by Committee on Judiciary.

SB 242, AN ACT enacting the cold case homicide victims' families' rights act; providing for a system for reviewing the case files of cold case homicides upon written application by certain persons, by Committee on Judiciary.

SB 243, AN ACT concerning minors; relating to settlement agreements; providing requirements and procedures for a person having legal custody of a minor to enter into a settlement agreement on behalf of the minor, by Committee on Judiciary.

SB 244, AN ACT concerning the attorney general; authorizing prosecution of any crime that is part of an alleged course of criminal conduct that occurred in two or more counties; amending K.S.A. 75-702 and repealing the existing section, by Committee on Judiciary.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 227**.

Commerce: **HB 2042**.

Education: **SB 226**.

Federal and State Affairs: **SB 223**, **SB 224**.

Judiciary: **SB 228**; **HB 2010**, **HB 2065**, **HB 2069**, **HB 2070**.

Public Health and Welfare: **SB 225**; **HB 2033**.

Transportation: **SB 229**; **HB 2014**.

TRIBUTES

The Committee on Organization, Calendar, and Rules authorizes the following tributes for the week of February 6 through February 10, 2023:

Senator Bowers: congratulating Kelley and Julie Zucker on receiving the Ottawa County Farm Bureau Sesquicentennial Farm Award, celebrating Leland Perry's 100th Birthday;

Senator Doll: celebrating Wanda Culver's 100th Birthday;

Senator Haley: honoring the life of Leslie "Les" D. Burleson;

Senator Holscher: commending Terin Humphrey on her career in gymnastics and extending best wishes for continued success; and

Senator Pittman: honoring Black History Month at the Community Service Organizations Banquet, commending Jurian Daniel Isabelle for his work on the film *Buffalo Soldiers: A Quest for Freedom*.

On motion of Senator Alley, the Senate adjourned pro forma until 2:30 p.m., Monday, February 13, 2023.

Journal of the Senate

TWENTY-FIFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, February 13, 2023, 2:30 p.m.

The Senate was called to order pro forma by President Ty Masterson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 245, AN ACT concerning financial institutions; enacting the commercial financing disclosure act; requiring the disclosure of certain commercial financing product transaction information; registration of commercial finance brokers with the state bank commissioner; obtaining a surety bond; providing for civil penalties; rules and regulations authority of the commissioner; authorizing enforcement of such act by the attorney general, by Committee on Federal and State Affairs.

SB 246, AN ACT concerning health and healthcare; relating to telemedicine; defining in-state and interstate practitioners under the Kansas telemedicine act; requiring certain insurance coverage of in-state telemedicine services; providing for certain standards of care; establishing the Kansas telehealth advisory committee; amending K.S.A. 40-2,210, 40-2,211, 40-2,212 and 40-2,213 and repealing the existing sections, by Committee on Ways and Means.

SB 247, AN ACT concerning taxation; relating to sales and compensating use tax; providing for a sales tax exemption for a not-for-profit corporation operating a community theater; amending K.S.A. 2022 Supp. 79-3606 and repealing the existing section, by Committee on Assessment and Taxation.

SB 248, AN ACT concerning sales and compensating use tax; relating to food; providing a sales tax exemption for sales of healthy food; repealing the state rate reduction for sales of certain food and food ingredients; amending K.S.A. 12-189a and K.S.A. 2022 Supp. 79-3603, 79-3606, 79-3620, 79-3703 and 79-3710 and repealing the existing sections; also repealing K.S.A. 2022 Supp. 79-3603d, by Committee on Assessment and Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 230**.

Education: **SB 231**.

Financial Institutions and Insurance: **SB 236**.

Judiciary: **SB 232, SB 237, SB 238, SB 239, SB 240, SB 241, SB 242, SB 243, SB 244**.

Public Health and Welfare: **SB 233, SB 234, SB 235**.

REPORTS OF STANDING COMMITTEES

The Committee on **Federal and State Affairs** recommends **SB 50** be amended on page 1, in line 6, by striking "contract between an"; in line 7, by striking "and" and inserting "shall enter into a contract with"; also in line 7, after "person" by inserting "residing in Kansas"; in line 8, by striking "shall include" and inserting "that includes"; in line 13, by striking all after "(b)"; by striking all in lines 14 through 22; in line 23, by striking all before the period and inserting "The attorney general, any county attorney or any district attorney shall have authority to prosecute any person who violates this section"; in line 24, by striking "Any"; also in line 24, by striking all after "an"; in line 25, by striking all before the period and inserting "unclassified misdemeanor punishable by a fine of not less than \$500 or more than \$10,000. Each contract entered into by a person in violation of subsection (a) shall constitute a separate violation"; in line 26, by striking all after "(d)"; by striking all in lines 27 through 36;

On page 2, by striking all in lines 1 through 13; in line 14, by striking "(g)"; in line 17, by striking "(h)" and inserting "(e) The provisions of this section shall not apply to a resident of this state who enters into a contract with an interactive computer service.

(f)";

Also on page 2, in line 31, after the semicolon by inserting "or"; in line 34, by striking the second "or"; by striking all in lines 35 and 36; in line 37, by striking all before "and";

On page 3, by striking all in lines 6 and 7;

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 1, in the title, in line 1, by striking "consumer protection" and inserting "crimes, punishment and criminal procedure"; in line 3, after "websites" by inserting "; providing penalties for violations"; and the bill be passed as amended.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Tuesday, February 14, 2023.

Journal of the Senate

TWENTY-SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, February 14, 2023, 2:30 p.m.

The Senate was called to order by President Ty Masterson.

The roll was called with 39 senators present.

Senator Claeys was excused.

President Masterson introduced guest chaplain, Reverend Shirley D. Heermance, Pastor of Historic St. Mark's AME Church in Topeka, Kansas who delivered the following invocation:

Dear Heavenly Father, Creator and Sustainer of all: As I stand now I've come to lift before You this house occupied by the men and women who serve as the Kansas State Senate Legislators. I pray as they prepare to move through the functions of this day that you will grant to each the power to perform with purpose toward fulfilling the objectives that are aimed for the betterment of all Kansans.

As they move through the course of this day, set aside to contemplate and to express love, let the objectives of their work be motivated by it. Let the deliberations, the debates and the decisions be determined by their devotion to the American creed of liberty and justice for all. As they serve this great State, through differing diplomatic coalitions, make one their alliance around the things that impact the citizens of Kansas in ways that will benefit the masses. Especially at this time when love in action is needed for so many, not just in Kansas but everywhere, fill their hearts and fuel their minds to establish goodwill as individuals and as a body.

As we exit in the middle of what we have come to know as Black History Month, and as we celebrate those who have gone before us...people of African decent who have made major contributions throughout our state, country and our world for the betterment of all people. I pray that to You O God for those who sat in this chamber to fashion the future. I pray that You will empower them and give to each the kind of wisdom to perform in ways that You will say "well done."

Bless now this house O God and the work this day will bring to fruition. I pray in the precious name of Jesus. Amen

The Pledge of Allegiance was led by President Masterson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 249, 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 Federal and State Affairs.

SB 250, AN ACT concerning the personal and family protection act; removing state agency fees for licenses to carry concealed handguns; amending K.S.A. 2022 Supp. 75-7c05 and 75-7c08 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 251, AN ACT concerning alcoholic beverages; relating to spirits distributors, wine distributors and cereal malt beverage distributors; regulating samples; amending K.S.A. 41-306, 41-306a and 41-307 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 252, AN ACT concerning taxation; relating to property tax and sales tax exemptions; providing a property tax exemption for certain business property operated in competition with property owned or operated by a government entity; providing a sales tax exemption for certain businesses competing against governmental entities; amending K.S.A. 2022 Supp. 79-3606 and repealing the existing section, by Committee on Assessment and Taxation.

SENATE CONCURRENT RESOLUTION No. SCR 1605—

By Senators Straub, Claeys, Doll, Gossage, Kloos, Peck, Pittman, Pyle, Steffen and Thompson

A PROPOSITION to amend section 2 of article 2 of the constitution of the state of Kansas; providing for consecutive term limits for senators and representatives.

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

"§2. Senators and representatives. (a) 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~~ *two-year* terms. Senators shall be elected for ~~four-year~~ *four-year* terms. The terms of representatives and senators shall commence on the second Monday of January of the year following election.

(b) (1) *From and after January 13, 2025, no individual shall be elected as a representative for more than four consecutive two-year terms.*

(2) *From and after January 13, 2025, no individual shall be elected as a senator for more than two consecutive four-year terms.*

(3) *For the purpose of computing the time period under either paragraph (1) or (2), no time spent serving as either a representative or senator prior to January 13, 2025, shall be counted."*

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

"Explanatory statement. This amendment would limit an individual's service as a state representative to four consecutive two-year terms and an

individual's service as a state senator to two consecutive four-year terms starting on January 13, 2025. Any terms of service occurring prior to January 13, 2025, and any nonconsecutive terms would not be subject to this limitation.

"A vote for this proposition would limit the service of an individual as a state representative to four consecutive two-year terms and the service of an individual as a state senator to two consecutive four-year terms starting on January 13, 2025.

"A vote against this proposition would retain the current constitutional provisions that impose no limitations on the number of terms an individual may serve as a representative or as a senator."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the Senate and two-thirds of the members elected (or appointed) and qualified to the House of Representatives, 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 2024, 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:

Assessment and Taxation: **SB 247, SB 248.**

Financial Institutions and Insurance: **SB 245.**

Public Health and Welfare: **SB 246.**

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Faust Goudeau and Haley introduced the following Senate resolution, which which was read:

SENATE RESOLUTION No. 1709—

A RESOLUTION recognizing the members of Delta Sigma Theta Sorority, Inc., for their outstanding service to the citizens of our state, our nation and the international community and for their promotion of sisterhood, scholarship and service.

WHEREAS, Delta Sigma Theta Sorority, Inc., is a private, not-for-profit organization whose purpose is to provide assistance and support in local communities throughout the world in diverse fields relating to public service through the organization's established five-point programmatic thrust: Economic development, educational development, international awareness and involvement, physical and mental health, and political awareness and involvement; and

WHEREAS, On January 13, 1913, Delta Sigma Theta Sorority, Inc. was founded at Howard University in the District of Columbia by: Osceola Macarthy Adams, Marguerite Young Alexander, Winona Cargile Alexander, Ethel Cuff Black, Bertha Pitts Campbell, Zephyr Chisom Carter, Edna Brown Coleman, Jessie McGuire Dent, Fredrica Chase Dodd, Myra Davis Hemmings, Olive C. Jones, Mamie Reddy Rose,

Eliza Pearl Shippen, Florence Letcher Toms, Ethel Carr Watson, Wertie Blackwell Weaver, Madree Penn White and Edith Motte Young; and

WHEREAS, In March 1913, the founders of Delta Sigma Theta Sorority, Inc., participated in the Women's Suffrage March in the District of Columbia, which was the sorority's first public act; and

WHEREAS, Since its founding, more than 300,000 women have joined the organization; and

WHEREAS, Delta Sigma Theta Sorority, Inc., has eight chapters in Kansas and a total of 1,000 collegiate and alumnae chapters in the United States, Canada, Japan, Germany, the Virgin Islands, Bermuda, the Bahamas, Jamaica, West Africa and the Republic of Korea: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we recognize the members of Delta Sigma Theta Sorority, Inc., for their outstanding service to the citizens of our state, our nation and the international community and for their promotion of sisterhood, scholarship and service; and

Be it further resolved: That the Secretary of the Senate shall send enrolled copies of this resolution to Amber Adams, Honorable Gwynne Birzer, Jasmine Burrell, Alice Brannon-Williams, Ashlynn Clark, Anna Gregory, Alyssa Harris, Dr. Felicia C. Echols, Dr. Christina Love, Valerie Patterson, Makayla Patton, Tanya Young, Senator Faust Goudeau and Senator Haley.

On emergency motion of Senator Faust Goudeau **SR 1709** was adopted by voice vote.

MESSAGES FROM THE GOVERNOR

The following appointment made by the Governor and submitted to the Senate for confirmation was introduced and the appointment letter read:

Colonel Jason Knobbe, Assistant Adjutant General-Air/Commander, Kansas Air National Guard (submitted: February 2, 2023)

On motion of Senator Alley, the Senate recessed until the sound of the gavel.

The Senate met pursuant to recess with President Masterson in the chair.

COMMITTEE OF THE WHOLE

On motion of Senator Alley, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Bowers in the chair.

On motion of Senator Bowers the following report was adopted:

SB 73 be passed.

SB 106 be amended by the adoption of the committee amendments, and the bill be passed as amended.

REPORTS OF STANDING COMMITTEES

Committee on Financial Institutions and Insurance recommends **SB 18**, **SB 34**, **SB 51**, **SB 85** be passed.

Also, **SB 37** be amended on page 3, following line 26, by inserting:

"(f) For purposes of calculating any tax due under K.S.A. 40-253, and amendments thereto, the credit allowed by this section shall be treated as a tax paid under K.S.A. 40-252, and amendments thereto."; and the bill be passed as amended.

SB 44 be amended on page 1, in line 18, by striking all after "(3)"; in line 19, by striking all before the first comma and inserting "supervised lenders"; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 130** be amended on page 1, in line 6, before "On" by inserting "(a)"; in line 11, after the period by inserting "Except as otherwise provided in subsection (b),"; in line 12, by striking "(a)" and inserting "(1)"; in line 15, by striking "(b)" and inserting "(2)"; following line 15, by inserting:

"(b) The provisions of this section shall not apply to distinctive license plates designating a person as a recipient of the congressional medal of honor issued pursuant to K.S.A. 8-1,145, and amendments thereto."; and the bill be passed as amended.

Committee on **Utilities** recommends **SB 68** be amended on page 2, in line 26, after "(f)" by inserting "Nothing in this section shall be construed to affect the right of any municipally owned or operated utility to develop, construct, upgrade, own and maintain transmission facilities, substations and controls used to serve load requirements.

(g)";

Also on page 2, in line 31, after the first comma by inserting "including municipal corporations,"; in line 35, by striking all after "state"; by striking all in lines 36 and 37; in line 38, by striking all before the period;

On page 3, following line 6, by inserting:

"(h) The provisions of this section shall expire on July 1, 2033."; and the bill be passed as amended.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Wednesday, February 15, 2023.

Journal of the Senate

TWENTY-SEVENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, February 15, 2023, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 39 senators present.
Senator Claeys was excused.
Invocation by Reverend Cecil T. Washington:

The Incurable “I” Problem
Proverbs 16:18-20, James 4:6, Matthew

Heavenly Father, there’s an “I” problem that You have not allowed the doctors to fix. It’s a problem that cannot be fixed or improved upon, or cured. It’s an “I” problem that looks to infect all of us. Yet, we can get rid of it. And it can be avoided.

Lord, You’ve clearly told us in Your Word, it’s the problem of “I” deserve better, “I” should be recognized, “I” can and “I” will, if “I” want to. Lord, You said in Proverbs 16:18-20, that *PRIDE*, the “I” problem precedes a downfall.

I recall the days when my marriage relationship seemed unfixable. And Lord, You told me to me to stop looking at the difficulties I was having with my wife and begin looking at the difficulties You were having with me. You humbled me, which per Your Word in James 4:6 is the key to receiving Your grace; Your desire and power from You to achieve success.

In Matthew 7:3-5, You ask a most thought provoking question. “Why do we look at the problematic speck in the eyes of others, while ignoring the appalling log in our own eye? As our Divine Ophthalmologist, only when we humble ourselves and submit to You, can the “I” problem of pride be overcome.

Only then can we sing like Johnny Nash, I can see clearly now the *Rain* is gone. In Jesus' Name, I pray. Amen

The Pledge of Allegiance was led by Vice President Wilborn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 253, AN ACT concerning alcoholic beverages; authorizing the delivery of alcoholic liquor and cereal malt beverage by licensed retailers, licensed clubs, drinking establishments and restaurants and third-party delivery services to patrons; amending K.S.A. 41-327, 41-2601, 41-2701 and 41-2728 and K.S.A. 2022 Supp. 41-102 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 254, AN ACT concerning the office of United States senator; providing for the filling of a vacancy; amending K.S.A. 25-318 and repealing the existing section, by Committee on Federal and State Affairs.

SB 255, AN ACT concerning school districts; relating to school sponsored travel and activities; requiring separate overnight accommodations for students of each biological sex, by Committee on Federal and State Affairs.

SB 256, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system; Kansas public employees retirement system act of 2015; providing an additional interest credit of 1% and removing the current additional interest credit calculation for calendar year 2023; amending K.S.A. 74-49,306 and 74-49,308 and repealing the existing sections, by Committee on Ways and Means.

SB 257, AN ACT concerning places of public accommodation; relating to public areas thereof; requiring that closed captioning be enabled on certain televisions and television receivers therein, by Committee on Federal and State Affairs.

SENATE CONCURRENT RESOLUTION No. 1606—

By Committee on Federal and State Affairs

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.

WHEREAS, This proposition to amend article 14 of the constitution of the state of Kansas shall be known and may be cited as the Kansas Citizen Involvement 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 Senate and two-thirds of the members elected (or appointed) and qualified to the House of Representatives 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 8% of the qualified electors who voted in the last preceding gubernatorial election in each of two of the congressional districts in the state.

(3) 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:".

(4) 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.

(5) 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 separately on each proposed amendment.

(6) 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.

(7) 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 in each of two of the congressional districts in the state.

(3) 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:".

(4) 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.

(5) 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 separately on each proposed law.

(6) 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 in each of two of the congressional districts in the state.

(3) 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.

(4) A referendum ordered by petition on a part of a bill shall not delay the remainder of the bill from becoming effective.

(5) A referendum on a bill may be ordered by the legislature by law.

(6) 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.

(4) No petition may be submitted to the secretary of state for review until the day immediately following the date of the regular general election that immediately precedes the regular general election for which the petition is submitted.

(5) A petition signed by the required number of qualified electors shall be submitted to the secretary of state on or before June 1 prior to the date of the next regular general election.

(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)(5).

(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) If any initiative measure is not approved but receives an affirmative vote of at least $\frac{1}{3}$ of the total votes cast on such measure, then such measure shall be placed on the ballot at the next regular general election in an even-numbered year without the submission of any petition for such measure. But no such measure shall be placed on the ballot at a third consecutive regular general election unless a petition has been submitted in accordance with this section.

(h) 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. The Kansas Citizen Involvement 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 the Kansas Citizen Involvement Amendment 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 the Kansas Citizen Involvement Amendment 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 Senate and two-thirds of the members elected (or appointed) and qualified to the House of Representatives, 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 2024, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case such proposed amendment shall be submitted to the electors of the state at the special election.

SCR 1607—A CONCURRENT RESOLUTION making application to the Congress of the United States to call a convention for the purpose of proposing amendments to the Constitution of the United States that impose limits on the federal government, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 252**.

Federal and State Affairs: **SB 249, SB 250, SB 251; SCR 1605**.

REFERENCE OF APPOINTMENTS

The following appointment made by the Governor and submitted to the Senate for confirmation, was referred to Committee as indicated:

Commander, Kansas Air National Guard:

Jason Knobbe,

(Committee on Federal and State Affairs)

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2027, HB 2125, HB 2214**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2027, HB 2125, HB 2214 were thereupon introduced and read by title.

On motion of Senator Alley, the Senate recessed until the sound of the gavel.

The Senate met pursuant to recess with Vice President Wilborn in the chair.

COMMITTEE OF THE WHOLE

On motion of Senator Alley, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Warren in the chair.

On motion of Senator Warren the following report was adopted:

SB 18 be passed.

SB 44, SB 130 be amended by the adoption of the committee amendments, and the bills be passed as amended.

SB 23, SB 85 be passed over and retain a place on the calendar.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 73, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes involving property; burglary and aggravated burglary; adding domestic battery and violation of a protection order to the list of crimes a person has intent to commit; amending K.S.A. 2022 Supp. 21-5807 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: Claeys, Ware.

The bill passed.

SB 106, AN ACT concerning motor vehicles; relating to devices that are counterfeit supplemental restraint system components and nonfunctional airbags; creating the crime of knowingly or intentionally manufacturing, importing, distributing, selling, offering for sale, installing or reinstalling such devices and providing for criminal penalties for violation thereof, was considered on final action.

On roll call, the vote was: Yeas 37; Nays 1; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Warren, Wilborn.

Nays: Pyle.

Absent or Not Voting: Claeys, Ware.

The bill passed, as amended.

FINAL ACTION ON CONSENT CALENDAR

SB 59, SB 143 having appeared on the Consent Calendar for the required two full legislative days without objection from any member, were considered on final action.

SB 59, AN ACT concerning days of commemoration; designating "Martin Luther King, Jr. Day at the Capitol."

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: Claeys, Ware.

The bill passed.

SB 143, AN ACT concerning motor vehicles; relating to permitted lighting equipment; allowing for use of ground effect lighting; amending K.S.A. 8-1723 and repealing the existing section.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: Claeys, Ware.

The bill passed.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Alley an emergency was declared by a 2/3 constitutional majority, and **SB 18, SB 44, SB 130** were advanced to Final Action and roll call.

SB 18, AN ACT concerning insurance; relating to insurance laws and enforcement thereof; adding certain legal entities to the definition of "person"; amending K.S.A. 40-2,125 and repealing the existing section.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: Claeys, Ware.

The bill passed.

SB 44, AN ACT concerning financial institutions; relating to cybersecurity; enacting the Kansas financial institutions information security act; requiring certain covered entities to protect customer information; authorizing the state bank commissioner to adopt rules and regulations; providing penalties for violations of such act.

On roll call, the vote was: Yeas 33; Nays 5; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Sykes, Thompson, Warren, Wilborn.

Nays: Pyle, Shallenburger, Steffen, Straub, Tyson.

Absent or Not Voting: Claeys, Ware.

The bill passed, as amended.

EXPLANATION OF VOTE

I voted no because this bill is based on a federal regulation. We, Kansans, must maintain our separation from the federal government, particularly its' bureaucracy. A federal regulation is nothing but bureaucracy.—Mark Steffen

SB 130, AN ACT concerning motor vehicles; relating to license plates; requiring certain license plates to have the county of registration for the motor vehicle identified on the plate.

On roll call, the vote was: Yeas 32; Nays 4; Present and Passing 2; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Reddi, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Holland, Holscher, Pittman, Sykes.

Present and Passing: Pettey, Pyle.

Absent or Not Voting: Claeys, Ware.

The bill passed, as amended.

EXPLANATION OF VOTE

County stickers on license plates are a leftover of past processes and are no longer necessary. In addition I have had constituents complain about being profiled by law enforcement and others because of their county's sticker, and therefore I vote no on **Senate Bill 130**.—JEFF PITTMAN

REPORTS OF STANDING COMMITTEES

Committee on **Education** recommends **SB 66** be passed.

Committee on **Financial Institutions and Insurance** recommends **SB 204** be amended on page 4, following line 23, by inserting:

"Sec. 2. K.S.A. 2022 Supp. 79-32,283 is hereby amended to read as follows: 79-32,283. (a) For taxable years commencing after December 31, 2020, there shall be allowed as a credit against 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, in an amount equal to the qualified charitable distributions made in connection with the fiduciary financial institution's fidfin activities during such taxable year if the fiduciary financial institution maintained such

fiduciary financial institution's principal office in an economic growth zone during such taxable year in accordance with the provisions of K.S.A. ~~2022 Supp.~~ 9-2309, and amendments thereto.

(b) For purposes of this section:

(1) "Economic growth zone" and "fidfin" means the same as defined in K.S.A. ~~2022 Supp.~~ 9-2301, and amendments thereto;

(2) "qualified charitable distributions" means distributions of cash, beneficial interests or other assets to one or more qualified charities having an aggregate value equal to at least 2.5% of the fiduciary financial institution's transactions originated during the taxable year. Such transactions shall exclude any renewals, extensions of credit or accruals associated with transactions made in a prior taxable year;

(3) ~~(A)~~ "qualified charities" means:

~~(i)~~ One or more charities, in to which contributions are allowable as a deduction pursuant to section 170 of the federal internal revenue code if, or

(ii) one or more Kansas nonprofit corporations, regardless of their federal income tax treatment.

~~(B)~~ Such "qualified charities" shall have:

~~(A)~~ (i) Been organized pursuant to a charter promulgated by the department of commerce for the purposes of making distributions for the benefit of economic growth zones;

~~(B)~~ (ii) committed in writing to utilize the entire amount of the qualified charitable distributions, excluding reasonable administrative expenses, exclusively for the benefit of charitable causes located in one or more economic growth zones or postsecondary educational institutions as defined in K.S.A. 74-3201b, and amendments thereto; and

~~(C)~~ (iii) agreed to provide an annual report to the department of commerce detailing qualified distributions received during such year, distributions made pursuant to ~~subparagraph (B) clause (ii)~~ and the remaining balance of qualified distributions as of the end of the reporting year.

The requirements of ~~subparagraph (A) clause (i)~~ shall not apply to a "qualified charity", ~~contributions to which are allowable as a deduction pursuant to section 170 of the federal internal revenue code,~~ that has committed in writing to utilize the entire amount of the qualified charitable distributions, excluding reasonable administrative expenses, exclusively for the benefit of the economic growth zone identified in K.S.A. ~~2022 Supp.~~ 9-2325(a)(2), and amendments thereto.

(c) No credit shall be allowed under this section if the fiduciary financial institution's tax return on which the credit is claimed is not timely filed, including any extension.

(d) A distribution or remittance to the department of commerce pursuant to K.S.A. ~~2022 Supp.~~ 9-2311, and amendments thereto, shall be deemed a qualified charitable distribution for purposes of this section.

(e) A fiduciary financial institution shall not be required to ensure that qualified charitable distributions are made solely for the benefit of the economic growth zones where such fiduciary financial institution has:

(1) Established such fiduciary financial institution's principal office pursuant to K.S.A. ~~2022 Supp.~~ 9-2309, and amendments thereto; or

(2) made qualified investments as defined in K.S.A. ~~2022 Supp.~~ 9-2301, and amendments thereto. Qualified charitable distributions may be made for the benefit of

any one or more economic growth zones.

(f) If a fiduciary financial institution is a pass-through entity for Kansas tax purposes and the credit allowed by this section for a taxable year is greater than the fiduciary financial institution's tax liability against which the tax credit may be applied, a member of the entity or any other party who is required to report such income on a Kansas income tax return is entitled to a tax credit equal to the tax credit determined for the fiduciary financial institution for the taxable year in excess of the fiduciary financial institution's tax liability under the Kansas income tax act or privilege tax under article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, for the taxable year multiplied by the percentage of the fiduciary financial institution's distributive income to which the member is entitled. Tax credits allowed and earned under this section shall not be sold, assigned, conveyed or otherwise transferred.

(g) If the amount of a tax credit allowed a member or other party under this section exceeds the taxpayer's income tax liability for the taxable year in which the tax credit is allowed, the amount thereof that exceeds such tax liability may be carried over for deduction from the taxpayer's income or privilege 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 5th taxable year succeeding the taxable year in which the tax credit is first allowed.

(h) 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) This section shall be a part of and supplemental to the Kansas income tax act.";

Also on page 4, in line 24, by striking "is" and inserting "and K.S.A. 2022 Supp. 79-32,283 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "expanding the definition of "qualified charities" for purposes of the income tax credit for certain qualified charitable distributions of fiduciary financial institutions"; in line 4, after "9-2301" by inserting "and K.S.A. 2022 Supp. 79-32,283"; also in line 4, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 115, SB 189** be passed.

Committee on **Ways and Means** recommends **SB 195** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

REPORT ON ENROLLED BILLS

SR 1709 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on February 15, 2023.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Thursday, February 16, 2023.

Journal of the Senate

TWENTY-EIGHTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, February 16, 2023, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 39 senators present.
Senator Claeys was excused.
Invocation by Reverend Cecil T. Washington:

To Whom Do You Answer?
Galatians 6:3-9, 2 Corinthians 5:10

Lord, God of Heaven and earth, You've blessed all of us with responsible positions. Keep us mindful that it was You that did it; that the people we serve might think that they put us here to serve them. But it was Your Divine Hand that turned the wheels of fate for us to be here; to be here as conduits, conveying Your blessings to Your people. You did that!

Keep us mindful that the people we serve are not our people. But they belong to You. And we must first be answerable to You and secondarily to Your people. And You hold us accountable, accountable for our attitudes and our motives, accountable for our actions. And please keep us mindful of the resulting returns.

In Galatians 6:7-9, You tell us to not be deceived; that we will reap what we sow. If, in our serving, we are planting faulty, defective seeds, what we will get, is a faulty, defective crop. In 2 Corinthians 5:10, You say that each and every one of us must stand before You one day to give an accounting of all that we've done right and all we've done wrong; that You are looking and booking; maintaining a record for the day we have to face You.

So, Lord, encourage us not to get tired or grow weary of doing what You determine to be right. And when the people we serve praise us or rebuke us, remind them that none of us is perfect. But with Your help, we are trying to get there. Once again, in Jesus' Name and in grateful service, I come to You in prayer, Amen.

The Pledge of Allegiance was led by Vice President Wilborn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 258, AN ACT concerning civil actions and civil procedure; enacting the act against abusive access litigation; creating a civil action for determining whether litigation that alleges any access violation under the Americans with disabilities act or similar law constitutes abusive litigation and authorizing penalties for such abusive

litigation, by Committee on Federal and State Affairs.

SB 259, AN ACT concerning elections; prohibiting the use of ballot copies or images in election audits and recounts; setting a deadline of 7:00 p.m. on the day of the election for the receipt of all advance ballots by the office of the county election officer; requiring the use of paper ballots and hand counting of ballots for all elections; providing for legislative oversight of elections with respect to certain matters; mandating that election records be publicly available and the creation of certain additional election records pertaining to ballots by the county election officer; establishing use of a uniform paper for the printing of ballots for all elections; amending K.S.A. 25-1132, 25-3107 and 25-4413 and K.S.A. 2022 Supp. 25-2912 and 25-3009 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 260, AN ACT concerning elections; prohibiting remote ballot boxes; providing for transmission of election-related materials from county election officers to the secretary of state for posting on the secretary's website; allowing a leave of absence from work for advance voting; limiting applications for advance voting ballots to be transmitted by mail to persons who are temporarily or permanently disabled or have been diagnosed as temporarily or permanently ill; requiring a delivery receipt for advance voting ballots delivered by mail and that such ballots be received by the county election officer by 7:00 p.m. on the date of the election; extending the time for applications for advance voting ballots to be transmitted by mail and transmitted in person by three days; requiring that advance voting ballots and ballots voted in person be canvassed by 12:00 a.m. on the day following the day of the election and the results immediately reported to the county election officer; providing that county election officers ensure adequate staffing of election boards; limiting the size of precincts to not more than 1,000 persons; requiring that persons vote in the precinct of their residence; making the day of the general election a state holiday; providing that signatures of voters on affidavits for federal services absentee ballots shall be notarized and such ballots shall be mailed by the voter three weeks prior to the election; prohibiting communications to the public of preliminary and final vote counts by election boards, county election officers and the secretary of state until the secretary of state has published the results from all precincts on the secretary's website; providing for the security of voting places by the sheriff; requiring that all applications for advance voting ballots be in writing; removing the requirement that electronic or electromechanical voting systems comply with federal law; making certain election crimes felonies; amending K.S.A. 25-418, 25-1119, 25-1122, 25-1123, 25-1128, 25-1132, 25-1135, 25-1136, 25-1219, 25-1221, 25-26a02, 25-26a03, 25-26a05, 25-2701, 25-2702, 25-2702a, 25-3006 and 35-107 and K.S.A. 2022 Supp. 25-4406 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 261, AN ACT concerning criminal procedure; relating to grand juries; authorizing appeals from certain decisions related to citizen-initiated grand juries; amending K.S.A. 2022 Supp. 22-3001 and 22-3008 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 262, AN ACT concerning elections; requiring legislative approval of determinations or rules or regulations of the secretary of state; requiring the hand counting of ballots; prohibiting the use of electronic or electromechanical voting systems and electronic poll books; providing for the public reporting of vote counts during vote canvassing; amending K.S.A. 25-3001, 25-3006 and 25-3107 and K.S.A.

2022 Supp. 25-2912, 25-4402, 25-4403, 25-4404, 25-4405, 25-4407, 25-4408, 25-4411, 25-4414, 25-4415, 25-4610 and 25-4613 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 263, AN ACT concerning property taxation; relating to appraiser directives; requiring appraiser directives be established by rules and regulations; amending K.S.A. 2022 Supp. 79-505 and repealing the existing section, by Committee on Assessment and Taxation.

SB 264, AN ACT concerning income taxation; relating to credits; increasing the tax credit amount for household and dependent care expenses; amending K.S.A. 79-32,111c and repealing the existing section, by Committee on Assessment and Taxation.

SB 265, AN ACT concerning crimes, punishment and criminal procedure; relating to violation of a protective order; increasing criminal penalties for repeat violations; amending K.S.A. 2022 Supp. 21-5924 and repealing the existing section, by Committee on Ways and Means.

SB 266, AN ACT concerning crimes, punishment and criminal procedure; relating to domestic violence calls; requiring law enforcement officers to provide certain notices to victims and conduct a lethality assessment; amending K.S.A. 2022 Supp. 22-2307 and repealing the existing section, by Committee on Ways and Means.

SB 267, AN ACT concerning domestic violence; defining primary aggressor in the Kansas criminal code, the Kansas code of criminal procedure and the protection from abuse act; requiring law enforcement policies to direct that arrest is the preferred response only with respect to the primary aggressor; amending K.S.A. 2022 Supp. 21-5111, 22-2307 and 60-3107 and repealing the existing sections, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Education: **SB 255**.

Federal and State Affairs: **SB 253, SB 254, SB 257; SCR 1606, SCR 1607**.

Financial Institutions and Insurance: **SB 256**.

Judiciary: **HB 2027, HB 2214**.

Public Health and Welfare: **HB 2125**.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Dietrich introduced the following Senate resolution, which was read:
SENATE RESOLUTION No. 1710—

A RESOLUTION congratulating and commending outstanding Kansas educators who have been selected for a Milken Educator Award or a Kansas Horizon Award.

WHEREAS, The Milken Educator Awards program, established by the Milken Family Foundation, provides recognition and financial awards to elementary and secondary school teachers, principals and other educational professionals who are furthering excellence in education; and

WHEREAS, Ryan Pfeifer, an educator at Washburn Rural High School in Auburn-Washburn USD 437, was selected as a Kansas recipient of the 2021 Milken Educator Award; and

WHEREAS, Megan Morgan, an educator at Oliver Brown Elementary School in Manhattan-Ogdon USD 383, was selected as a Kansas recipient of the 2021 Milken Educator Award; and

WHEREAS, Kristine Becker Yulich, an educator at Logan Elementary School in Seaman USD 345, was selected as the Kansas recipient of the 2022 Milken Educator Award; and

WHEREAS, The Kansas Horizon Award program identifies and recognizes exemplary first-year teachers who perform in a way that distinguishes them as outstanding; and

WHEREAS, The Kansas Horizon Award program is currently in its 23rd year and is sponsored by the Kansas State Department of Education and Capitol Federal; and

WHEREAS, Thirty-two first-year educators from across the state have been named as Kansas Horizon Award program educators; and

WHEREAS, The Kansas Horizon Award program's 2023 recipients, representing elementary and secondary classrooms from Region 1 are: Kaisha Batman, Dodge City High School, Dodge City USD 443; Monica Blanco, Dodge City Middle School, Dodge City USD 443; Derek Davidson, Dwight D. Eisenhower Middle School, Manhattan-Ogden USD 383; Anne Kenworthy, Rock Creek Middle School, Rock Creek USD 323; Sally Lopez, Oliver Brown Elementary School, Manhattan-Ogden USD 383; Ashley Sides, Prairie Hills Middle School, Buhler USD 313; Andrew Thiesen, Garden City High School, Garden City USD 457; and Kinsey Volk, Bickerdyke Elementary School, Russell USD 407; and

WHEREAS, The Kansas Horizon Award program's 2023 recipients, representing elementary and secondary classrooms from Region 2 are: Julia Ferguson, Quail Run Elementary School, Lawrence USD 497; Heidi Jo Hayen, Berryton Elementary School, Shawnee Heights USD 450; Madeline Lane, Lansing High School, Lansing USD 469; Emma Lehmann, Neodesha High School, Neodesha USD 461; Hannah Lucas, Humboldt Elementary School, Humboldt USD 258; Megan Maness, French Middle School, Topeka USD 501; DeLaney Russell, Dr. Jerry Hamm Early Learning Center, Coffeyville USD 445; and William Wehrs, Seaman High School, Seaman USD 345; and

WHEREAS, The Kansas Horizon Award program's 2023 recipients, representing elementary and secondary classrooms from Region 3 are: Cooper Allison, Woodland Spring Middle School, Spring Hill USD 230; Jordyn Burke, Corinth Elementary School, Shawnee Mission USD 512; Jordan Dillon, Blue Valley High School, Blue Valley USD 229; Lisa Frakes, Turner High School, Turner USD 202; Alexandra Furminger, Oak Grove Elementary School, Turner USD 202; Jennifer Miller, Nike Elementary School, Gardner Edgerton USD 231; Stephanie Ruley, Gardner Edgerton High School, Gardner Edgerton USD 231; and Sydney Sieben, Riverview Elementary School, De Soto USD 232; and

WHEREAS, The Kansas Horizon Award program's 2023 recipients, representing elementary and secondary classrooms from Region 4 are: Sue Ake, Gordon Parks Academy, Wichita, USD 259; Kassady Griffin, Eisenhower High School, Goddard USD 265; Cody Kirkendoll, Campus High School, Haysville USD 261; Rochell Knight, Derby Middle School, Derby USD 260; Carla McConnell, Sunset Elementary School, Newton USD 373; Aaron Miller, Valley Center Middle School, Valley Center USD 262; Jamie Rhue, El Paso Elementary School, Derby USD 260; and Erin Walter, Norwich Elementary School, Kingman-Norwich USD 331: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend these outstanding educators who were selected for a Milken Educator Award or a Kansas Horizon Award; and

Be it further resolved: That the Secretary of the Senate shall send one enrolled copy of this resolution to the Commissioner of Education and 36 enrolled copies to the Commissioner of Education to forward to each outstanding educator listed herein.

On emergency motion of Senator Dietrich **SR 1710** was adopted by voice vote.

On motion of Senator Alley, the Senate recessed until the sound of the gavel.

The Senate met pursuant to recess with Vice President Wilborn in the chair.

COMMITTEE OF THE WHOLE

On motion of Senator Alley, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Baumgardner in the chair.

On motion of Senator Baumgardner the following report was adopted:

SB 116 be passed.

SB 51 be passed over and retain a place on the calendar.

A motion by Senator Holscher to amend **SB 116** failed and the following amendment was rejected; on page 1, following line 25, by inserting:

"(c) Any firearm safety education program offered by a school district shall prohibit any person providing instruction or training as part of such program from possessing any firearm while conducting such instruction or training in a school building."

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 12; Nays 25; Present and Passing 1; Absent or Not Voting 2.

Yeas: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Nays: Alley, Billinger, Blasi, Bowers, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Wilborn.

Present and Passing: Baumgardner.

Absent or Not Voting: Claeys, Warren.

EXPLANATION OF VOTE

I vote "YES" on the amendment to **SB 116** that would prohibit any person providing instruction or training as part of a firearm safety education program offered by a school district from possessing any firearm while conducting such instruction or training in a school building. School Resource Officers are allowed to carry guns in our public schools, however I do not believe that they should be possessing firearms while conducting such instruction. The bill does not address this issue; I believe it should and could with this amendment.—MARCI FRANCISCO

Senator Haley requests the record to show he concurs with the "Explanation of Vote" offered by Senator Francisco.

A motion by Senator Sykes to amend **SB 116** failed and the following amendment was rejected; on page 1, in line 22, by striking the comma and inserting ":

(1)";

Also on page 1, in line 24, by striking "and" and inserting ";

(2) such instruction";

Also on page 1, in line 25, after "course" by inserting ";

(3) parents or legal guardians of students who are to be offered the opportunity for such instruction shall be notified in writing not more than four months prior to the commencement of such instruction that such instruction will be offered, information on how the parent or legal guardian may provide written consent to authorize the student to attend and the name of the individual or entity providing such instruction; and

(4) no student shall be offered such instruction without the prior written consent of such student's parent or legal guardian"

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 8; Nays 27; Present and Passing 3; Absent or Not Voting 2.

Yeas: Corson, Faust-Goudeau, Haley, Holland, Holscher, Pettey, Reddi, Sykes.

Nays: Alley, Billinger, Blasi, Bowers, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pittman, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Present and Passing: Baumgardner, Francisco, Ware.

Absent or Not Voting: Claeys, Pyle.

A motion by Senator Holscher to amend **SB 116** failed.

An amendment was offered by Senator Holscher. A ruling of the chair was requested as to the germaneness to the bill. The Chair of the Rules Committee ruled the amendment not germane.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Alley an emergency was declared by a 2/3 constitutional majority, and **SB 116** was advanced to Final Action and roll call.

SB 116, AN ACT concerning education; relating to firearms; standardizing firearm safety education training programs in school districts.

On roll call, the vote was: Yeas 30; Nays 8; Present and Passing 1; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Dietrich, Doll, Erickson, Fagg, Gossage, Haley, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Francisco, Holland, Holscher, Pettey, Reddi, Sykes, Ware.

Present and Passing: Faust-Goudeau.

Absent or Not Voting: Claeys.

The bill passed.

EXPLANATION OF VOTE

Schools and children are not the problem, when we don't require individuals that purchase guns to have any training.—USHA REDDI

Senators Francisco, Holscher and Pettey request the record to show they concur with the "Explanation of Vote" offered by Senator Reddi on **SB 116**.

CHANGE OF REFERENCE

Under the authority of the President, the Vice President withdrew **SB 51** from the Calendar under the heading of **General Orders**, and referred the bill to the Committee on **Ways and Means**.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 41, SB 54, SB 81, SB 96** be passed.

Committee on **Local Government** recommends **SB 163** be passed.

Also, **SB 194** be amended on page 1, in line 11, after the period by inserting "A majority of the members of the board shall be residents of the county where the hospital is located."; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 132** be passed.

On motion of Senator Alley, the Senate adjourned pro forma until 9:00 a.m., Friday, February 17, 2023.

Journal of the Senate

TWENTY-NINTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, February 17, 2023, 9:00 a.m.

The Senate was called to order pro forma by Senator Rick Billinger.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 263, SB 264.**

Federal and State Affairs: **SB 259, SB 260, SB 262.**

Judiciary: **SB 258, SB 261, SB 265, SB 266, SB 267.**

COMMUNICATIONS FROM STATE OFFICERS

The following report was submitted to the Senate and is on file with the Secretary of the Senate:

Department of Commerce 2022 Annual Report (February 16, 2023)

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2021, HB 2060, HB 2093, HB 2096, HB 2100, HB 2234, HB 2262, HB 2314.**

Announcing adoption of **HCR 5004**, as amended.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2021, HB 2060, HB 2093, HB 2096, HB 2100, HB 2234, HB 2262, HB 2314; HCR 5004 were thereupon introduced and read by title.

REPORTS OF STANDING COMMITTEES

Committee on **Commerce** recommends **SB 91** be amended on page 1, in line 12, by striking "8" and inserting "6";

On page 9, in line 12, by striking ", in the sole discretion of the secretary,";

On page 10, in line 13, by striking all after the comma; in line 14, by striking all before the period and inserting "the production company may carry over the amount of the tax credit that exceeds such tax liability for deduction from the production company's income tax liability in the next succeeding taxable year or years until the total amount of the tax credit has been deducted from the production company's tax liability, except that no such tax credit shall be carried over for deduction after the 10th taxable year succeeding the year in which the qualified expenditures were made by the production company"; also on page 10, in line 17, by striking "provided by this section"; in line 24, by striking all after the period; by striking all in lines 25 through 27;

in line 37, after the period by inserting "A request by a production company for an extension of time of up to six months to submit a claim shall be granted by the secretary of revenue.";

On page 11, in line 37, by striking "nonrefundable"; in line 38, by striking "production"; in line 38, after the period by inserting "The tax credit shall be applied against the Kansas-based production company's income tax liability for the taxable year in which the qualified expenditures are made by the Kansas-based production company. If the amount of the tax credit exceeds the Kansas-based production company's income tax liability, the Kansas-based production company may carry over the amount of the tax credit that exceeds such tax liability for deduction from the Kansas-based production company's income tax liability in the next succeeding taxable year or years until the total amount of the tax credit has been deducted from the Kansas-based production company's tax liability, except that no such tax credit shall be carried over for deduction after the 10th taxable year succeeding the year in which the qualified expenditures were made by the Kansas-based production company. If the Kansas-based production company is a corporation having an election in effect under subchapter S of the federal internal revenue code, a partnership or a limited liability company, the credit shall be claimed by the shareholders of such corporation, the partners of such partnership or members of such limited liability company in the same manner as such shareholders, partners or members account for their proportionate shares of the income or loss of the corporation, partnership or limited liability company and in accordance with the agreement executed pursuant to section 3, and amendments thereto. The tax credit may be transferred as provided by subsection (k).";

On page 12, in line 28, after the first "the" by inserting "taxable"; in line 30, by striking "shall be refunded to the transferee" and inserting "may be carried over for deduction from the transferee's income tax liability in the next succeeding taxable year or years until the total amount of the tax credit has been deducted from the transferee's tax liability, except that no such tax credit shall be carried over for deduction after the 10th taxable year succeeding the taxable year in which the credit was transferred to the transferee"; following line 33, by inserting:

"(l) The aggregate total amount of credits allowed under this section shall not exceed \$10,000,000 in a tax year. Ten percent of such aggregate total in each tax year shall be designated for tax credits to Kansas-based production companies.";

On page 13, by striking all in lines 9 through 43;

By striking all on pages 14 through 16;

On page 17, by striking all in lines 1 through 32;

And by renumbering sections accordingly;

On page 1, in the title, in line 3, by striking the comma and inserting "and"; also in line 3, by striking "and loan and grant"; in line 5, by striking all after the semicolon; by striking all in lines 6 and 7; in line 8, by striking all before "amending"; and the bill be passed as amended.

Committee on **Utilities** recommends **SB 144** be passed.

REPORT ON ENROLLED BILLS

SR 1710 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on February 17, 2023.

TRIBUTES

The Committee on **Organization, Calendar, and Rules** authorizes the following tributes for the week of February 13 through February 17, 2023:

Senator Bowers: congratulating Austin Gillard on receiving the 2022 Senior Level Healthcare Executive of the Year Award, celebrating Doris Jones' 100th Birthday, congratulating Jim Ball on being named the 2022 Kansas Ready Mixed Concrete Association Driver of the Year, congratulating Andrea Garland on receiving the 2022 Russell Area Chamber of Commerce Citizen of the Year Award, congratulating the Russell Public Library on receiving the 2022 Russell Area Chamber of Commerce Non-Profit Organization of the Year Award, congratulating Meridy's Restaurant and Lounge on receiving the 2022 Russell Area Chamber of Commerce Business of the Year Award, congratulating Rose Koerber on receiving the 2022 Values in Action Award.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Monday, February 20, 2023.

Journal of the Senate

THIRTIETH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, February 20, 2023, 2:30 p.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 36 senators present.
Senators Holland, Longbine, Pyle and Ware were excused.
Invocation by Reverend Cecil T. Washington:

To The King of Kings and Lord of Lords
On This President's Day
Psalm 136:3, Hebrews 13:5

Heavenly Father, today has been designated as President's Day. A day set aside to recognize and honor those who have served this great republic in the highest office, that of President of the United States. We're thankful for those who have sacrificed to serve, some for four years, some for 8, some whose lives of service were cut short.

But our greatest recognition and honor should be to You. Your devotion as our Leader, is not limited to a 4 or 8 year term. That's why the Psalmist said in 136:3, "Give thanks to the Lord of lords, Your loving devotion endures forever." In Hebrews 13:5, Your promise is to never take a leave of absence or abandon us. And no one has the power to put term limits on You.

You are KING of kings and LORD of lords. So, on this President's Day and all the days that follow, help us to walk by faith in the steady promise of Your persevering presence. I come to You now, in the marvelous Name of Jesus. Amen and Amen

The Pledge of Allegiance was led by President Masterson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 268, AN ACT concerning the state fire marshal; eliminating the statutory qualifications of the chief inspector for boiler safety; amending K.S.A. 44-918 and repealing the existing section, by Committee on Federal and State Affairs.

SB 269, AN ACT concerning alcoholic beverages; relating to charitable raffle prizes; exempting prizes of alcoholic liquor and cereal malt beverages from the Kansas liquor control act, the club and drinking establishment act and the Kansas cereal malt beverage act; amending K.S.A. 41-104 and repealing the existing section, by Committee on Federal and State Affairs.

SCR 1608—A CONCURRENT RESOLUTION urging the adoption of a student bill of rights, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Commerce: **HB 2234**.

Education: **HB 2060; HCR 5004**.

Federal and State Affairs: **HB 2314**.

Financial Institutions and Insurance: **HB 2093, HB 2096, HB 2100**.

Judiciary: **HB 2021**.

Public Health and Welfare: **HB 2262**.

CHANGE OF REFERENCE

The President withdrew **SB 51** from the Committee on **Ways and Means**, and re-referred to the calendar under the heading of **General Orders**.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **SB 120** be passed.

Also, **SB 205** be amended on page 2, following line 16, by inserting:

"Sec. 4. K.S.A. 2022 Supp. 82a-736 is hereby amended to read as follows: 82a-736.

(a) It is hereby recognized that an opportunity exists to improve water management by enabling multi-year flexibility in the use of water authorized to be diverted under a groundwater water right, provided that such flexibility neither impairs existing water rights, nor increases the total amount of water diverted, so that such flexibility has no long-term negative effect on the source of supply. It is therefore declared necessary and advisable to permit the establishment of multi-year flex accounts for groundwater water rights, together with commensurate protections for existing water rights and their source of supply.

(b) As used in this section:

(1) "Alternative base average usage" means an allocation based on net irrigation requirements calculated pursuant to subsection (c)(1)(D)(ii) that may be used in place of the base average usage.

(2) "Base water right" means a water right under which an applicant applies to the chief engineer to establish a multi-year flex account and where all of the following conditions exist:

(A) The authorized source of supply is groundwater; and

(B) the water right is not currently the subject of a multi-year allocation due to a change approval that allows an expansion of the authorized place of use.

(3) "Multi-year flex account" means a term permit that suspends a base water right during its term, except when the term permit may be no longer exercised because of an order of the chief engineer, and is subject to the terms and conditions as provided in subsection (e).

(4) "Base average usage" means:

(A) The average amount of water actually diverted for the authorized beneficial use under the base water right during calendar years 2000 through 2009, excluding:

(i) Any amount diverted in any such year that exceeded the amount authorized by the base water right;

(ii) any amount applied to an unauthorized place of use; and

(iii) diversions in calendar years when water was diverted under a multi-year

allocation with an expansion of the authorized place of use due to a change approval;

(B) if water use records are inadequate to accurately determine actual water use or upon demonstration of good cause by the applicant, the chief engineer may calculate the base average usage with less than all 10 calendar years during 2000 and 2009. In no case shall the base average usage be calculated with less than five calendar years during 2000 and 2009; or

(C) if the holder of the base water right shows to the satisfaction of the chief engineer that water conservation reduced water use under the base water right during calendar years 2000 through 2009, then the base average usage shall be calculated with the five calendar years immediately before the calendar year when water conservation began.

(5) "Chief engineer" means the chief engineer of the division of water resources of the department of agriculture.

(6) "Flex account acreage" means the maximum number of acres lawfully irrigated during a calendar year, except for any acres irrigated under a multi-year allocation that allowed for an expansion of the authorized place of use due to a change approval and any of the following conditions are met:

(A) The calendar year is 2000 through 2009;

(B) if water conservation reduced water use under the base water right during calendar years 2000 through 2009, the calendar year is a year within the five calendar years immediately prior to the calendar year when water conservation began; or

(C) if an application to appropriate water was approved after December 31, 2004, the calendar year is any during the perfection period.

(7) "Net irrigation requirement" means the net irrigation requirement for 50% chance rainfall of the county that corresponds with the location of the authorized place of use of the base water right as provided in K.A.R. 5-5-12, on the effective date of this act.

(c) (1) Except as provided in sections 1 and 2, and amendments thereto, any holder of a base water right that has not been deposited or placed in a safe deposit account in a chartered water bank may establish a multi-year flex account where the holder may deposit, in advance, the authorized quantity of water from such water right for any five consecutive calendar years, except when the chief engineer determines a shorter period is necessary for compliance with a local enhanced management area or an intensive groundwater use control area and the corrective controls in the area do not prohibit the use of multi-year flex accounts, and subject to all of the following:

(A) The water right must be vested or shall have been issued a certificate of appropriation;

(B) the withdrawal of water pursuant to the water right shall be properly and adequately metered;

(C) the water right is not deemed abandoned and is in compliance with the terms and conditions of its certificate of appropriation, all applicable provisions of law and orders of the chief engineer;

(D) the amount of water deposited in the multi-year flex account shall not exceed the greatest of the following:

(i) 500% of the base average usage;

(ii) 500% of the product of the annual net irrigation requirement multiplied by the flex account acreage, multiplied by 110%, but not greater than five times the maximum

annual quantity authorized by the base water right;

(iii) if the authorized place of use is located wholly within the boundaries of a groundwater management district, an amount that shall not increase the long-term average use of the groundwater right as specified by rule or regulation promulgated pursuant to K.S.A. 82a-1028(o), and amendments thereto; or

(iv) pursuant to subparagraph (F), the amount computed in (i), (ii) or (iii) plus any deposited water remaining in a multi-year flex account up to 100% of the base average usage or alternative base average usage;

(E) if the multi-year flex account is approved for less than five calendar years, the amount of water deposited in the multi-year flex account shall be prorated based on the number of calendar years approved and otherwise calculated as required by subsection (c)(1)(D)(i), (ii) or (iii); and

(F) any deposited water remaining in a multi-year flex account up to 100% of the base average usage or alternative base average usage may be added to the deposit amount calculated in subparagraph (D) if the base water right is enrolled in another multi-year flex account during the calendar year in which the existing multi-year flex account expires. The total amount of water deposited in any multi-year flex account shall not exceed 500% of the authorized quantity of the base water right.

(2) The provisions of K.A.R. 5-5-11 are limited to changes in annual authorized quantity and shall not apply to this subsection.

(d) The chief engineer shall implement a program providing for the issuance of term permits to holders of groundwater water rights who have established flex accounts in accordance with this section. Such term permits shall authorize the use of water in a flex account at any time during the consecutive calendar years for which the application for the term permit authorizing a multi-year flex account is made, without annual limits on such use.

(e) Term permits provided for by this section shall be subject to the following:

(1) A separate term permit shall be required for each point of diversion authorized by the base water right.

(2) The quantity of water authorized for diversion shall be limited to the amount deposited pursuant to subsection (c)(1)(D).

(3) The rate of diversion for each point of diversion authorized under the term permit shall not exceed the rate of diversion for each point of diversion authorized under the base water right.

(4) The authorized place of use shall be the place of use or a subdivision of the place of use for the base water right. Any approval of an application to change the place of use of the base water right shall automatically result in a change to the place of use for the term permit.

(5) The point of diversion authorized by the term permit shall be specified by referencing one point of diversion authorized by the base water right at the time the multi-year flex account term permit application is filed with the chief engineer or at the time any approvals changing such referenced point of diversion of the base water right are approved during the multi-year flex account period. For a base water right with multiple points of diversion, each point of diversion authorized by a term permit shall receive a specific assignment of a maximum authorized quantity of water, assigned proportionately to the authorized annual quantities of the respective points of diversion under the base water right.

(6) The chief engineer may establish, by rules and regulations, criteria for such term permits.

(7) Except as explicitly provided for by this section, such term permits shall be subject to all provisions of the Kansas water appropriation act, and rules and regulations adopted under such act, and nothing in this section shall authorize impairment of any vested right or prior appropriation right by the exercise of such term permit.

(f) An application for a multi-year flex account shall be filed with the chief engineer on or before December 31 of the first year of the multi-year flex account term for which the application is being made.

(g) All costs of administration of this section shall be paid from fees for term permits provided for by this section. Any appropriation or transfer from any fund other than the water appropriation certification fund for the purpose of paying such costs shall be repaid to the fund from where such appropriation or transfer is made. At the time of repayment, the secretary of agriculture shall certify to the director of accounts and reports the amount to be repaid and the fund to be repaid. Upon receipt of such certification, the director of accounts and reports shall promptly transfer the amount certified to the specified fund.

(h) The fee for a multi-year flex account term permit shall be the same as specified for other term permits in K.S.A. 82a-708c, and amendments thereto.

(i) The chief engineer shall have full authority pursuant to K.S.A. 82a-706c, and amendments thereto, to require any additional measuring devices and any additional reporting of water use for term permits issued pursuant to this section. Failure to comply with any measuring or reporting requirement may result in a penalty, up to and including the revocation of the term permit and the suspension of the base water right for the duration of the term permit period.

(j) The chief engineer shall submit a written report on the implementation of this section to the house standing committee on agriculture and natural resources and the senate standing committee on natural resources on or before February 1 of each year.

(k) This section shall be a part of and supplemental to the Kansas water appropriation act.;

Also on page 2, in line 17, by striking "is" and inserting "and K.S.A. 2022 Supp. 82a-736 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after "and" by inserting "K.S.A. 2022 Supp. 82a-736 and"; in line 4, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Assessment and Taxation** recommends **SB 97, SB 169** be passed.

Also, **SB 8** be amended on page 1, following line 7, by inserting:

"Section 1. K.S.A. 79-306 is hereby amended to read as follows: 79-306. On or before March 15 of each year, or the next following business day if such date falls on a day other than a regular business day, every person, association, company or corporation required by this act to list property shall make and personally sign a statement listing all tangible personal property which by this act such person is required to list, either as the owner thereof, or as parent, guardian, trustee, executor, administrator, receiver, accounting officer, partner or agent, as the case may be, and deliver the same to the county appraiser of the county where such property has its situs for the purpose of taxation. In addition to the foregoing requirements, any such

statement prepared by a personal property tax rendition form preparer shall be certified as true and correct by such preparer's signature. On and after January 1, 2024, after a person has filed an initial statement listing property with the county appraiser pursuant to this section, no subsequent annual statement shall be required to be filed with the county appraiser regarding such property unless there is a change to report relating to the property previously listed or the statement.”;

On page 2, in line 19, by striking "may" and inserting "shall"; also in line 19, by striking the second "the" and inserting "a reasonable amount of"; in line 22, by striking "may" and inserting "shall"; also in line 22, by striking all after the period; by striking all in line 23 and inserting "For purposes of this section, on and after January 1, 2022, good cause for granting an extension of time in which to make and file a statement listing property for assessment and taxation purposes shall include, but not be limited to, the previous classification of the property as real property or as a fixture to real property. Such previous classification shall specifically include, but not be limited to, machinery and equipment used in the grain storage and processing industry, ethanol processing industry or other biofuels processing industry that had been previously classified as real property or fixtures to real property.”; in line 35, after "appeals" by inserting "or the county appraiser"; also in line 35, by striking "have the authority to"; in line 42, after the period by inserting "For purposes of this section, on and after January 1, 2022, excusable neglect for the failure to make and file a statement listing property for assessment and taxation purposes shall include, but not be limited to, the previous classification of the property as real property or as a fixture to real property. Such previous classification shall specifically include, but not be limited to, machinery and equipment used in the grain storage and processing industry, ethanol processing industry or other biofuels processing industry that had been previously classified as real property or fixtures to real property.”;

On page 4, in line 21, after "K.S.A." by inserting "79-306,";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "reporting changes after initial statement.”; in line 4, after "K.S.A." by inserting "79-306,”; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 193** be passed.

Also, **SB 75** be amended on page 1, in line 7, after the period by inserting "(a) Except as provided in subsection (b),"; in line 8, before the first "per" by inserting "of 10%"; also in line 8, by striking all after the first "annum"; in line 9, by striking all before "when"; following line 19, by inserting:

"(b) In all civil tort actions filed under chapter 60 of the Kansas Statutes Annotated, and amendments thereto, in which the court determines that prejudgment interest shall be awarded, the judgment creditor shall be allowed to receive interest at the rate per annum of two percentage points below the rate per annum specified in K.S.A. 16-204(e) (1), and amendments thereto.”; and the bill be passed as amended.

SB 174 be amended on page 2, in line 26, by striking "possessed" and inserting "discharged or used"; and the bill be passed as amended.

Committee on **Public Health and Welfare** recommends **SB 113, SB 180, SB 219, SB 233** be passed.

The Committee on **Transparency and Ethics** recommends **SB 63** be amended on page 2, in line 11, by striking "senior care"; also in line 11, after "services" by inserting

"under the Kansas senior care act"; in line 13, after "grandchild" by striking the comma and inserting "or"; also in line 13, by striking all after "spouse"; in line 14, by striking all before "in" and inserting "who resides"; and the bill be passed as amended.

The Committee on **Utilities** recommends **SB 49** be amended on page 1, in line 8, by striking "(1)"; also in line 8, by striking "January" and inserting "July"; following line 17, by inserting:

"(b) (1) On and after January 1, 2026, any developer, owner or operator of a wind energy conversion system that has commenced commercial operations in the state without a light-mitigating technology system shall apply to the federal aviation administration for installation and operation of a light-mitigating technology system that complies with federal aviation administration regulations 14 C.F.R. § 1.1 et seq. within six months after the execution of a new power offtake agreement related to such wind energy conversion system. If approved by the federal aviation administration, the developer, owner or operator of such wind energy conversion system shall install the light-mitigating technology system on approved turbines within 24 months following such approval.";

Also on page 1, in line 18, by striking all after "(2)"; by striking all in lines 19 through 26; in line 27, by striking all before the period and inserting "The board of county commissioners of any county may enter into an agreement with the developer, owner or operator of a wind energy conversion system for the purpose of financing some or all of the costs of the purchase and installation of a light-mitigating technology system subject to the approval of the federal aviation administration. The board of county commissioners of any county may issue revenue bonds for such purpose. At or prior to the issuance of such revenue bonds, the board of county commissioners may pledge any revenues associated with the wind energy conversion system or any other revenues. Any costs associated with the ongoing operation and maintenance of a light-mitigating technology system financed in whole or in part by a county shall be the sole responsibility of the developer, owner or operator of the wind energy conversion system.

(c) Any vendor that is selected for installation of a light-mitigating technology system on a wind energy conversion system pursuant to the requirements of this section and is approved by the federal aviation administration for such installation shall provide to the Kansas department of transportation aviation division, in the form and manner prescribed by the division, notice of the progress of the installation of such light-mitigating technology system. If the installation of the light-mitigating technology system is delayed beyond the 24-month installation requirement established pursuant to this section, such vendor shall provide notice to the Kansas department of transportation aviation division not less than once every three months to provide an update on the reasons for the delay and the current status of the installation. The division may establish policies and procedures to establish a uniform schedule for submitting notice pursuant to this subsection";

Also on page 1, in line 34, by striking ", light intensity dimming solution technology";

On page 2, in line 2, after "(2)" by inserting ""Power offtake agreement" means a long-term contract that provides for:

(A) The provision of the whole or any part of the available capacity or the sale or other disposal of the whole or any part of the output of a wind energy conversion

system; or

(B) a contract for differences or financial hedge tied to the output from the wind energy conversion system.

(3)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

Also on page 2, in line 8, by striking "statute book" and inserting "Kansas register";

On page 1, in the title, in line 4, after "operations" by inserting "; requiring existing wind energy conversion systems to install light-mitigating technology systems upon execution of a long-term power offtake agreement; authorizing any board of county commissioners to issue revenue bonds to finance some or all of the costs of the installation of a light-mitigating technology system subject to an agreement with the owner or operator of the wind energy conversion system; making all such installations"; and the bill be passed as amended.

Also, **SB 166** be amended on page 1, in line 22, after "(b)" by inserting "(1)"; in line 24, after the period by inserting "Notwithstanding the provisions of K.S.A. 66-1220a, and amendments thereto, or any rules and regulations adopted by the commission, the commission shall not limit the disclosure of the names and addresses of the landowners of record that are required to be included with an application pursuant to subsection (a) (2).

(2) Any protective order issued by the commission prior to July 1, 2023, that limited the disclosure of the information required to be specified or included with an application pursuant to subsection (a)(2) shall be null and void only to the extent that such protective order limits the disclosure of the information required to be specified or included with an application pursuant to subsection (a)(2). Except as otherwise provided in this paragraph, the provisions of this paragraph shall not be construed to affect any other document, data, contract, proprietary information, trade secret or other commercial information subject to a protective order issued by the commission pursuant to K.S.A. 66-1220a, and amendments thereto, or any rules and regulations adopted by the commission.

(c)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and the bill be passed as amended.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Tuesday, February 21, 2023.

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THIRTY-FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, February 21, 2023, 2:30 p.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 38 senators present.
Senators Holscher and Olson were excused.
Invocation by Reverend Cecil T. Washington:

Love Your Neighbor
1 John 4:16, Luke 10:27-37

Heavenly Father, thank You for the blessing of another day and for the blessings You have for us in this day. It's because of Your grace, mercy and love toward us, that we are being given opportunities to show the same toward our neighbors.

Your Word says in 1 John 4:16 that YOU are LOVE, that Your very nature is love. And even when You display Your anger, it's righteous anger because love has been violated.

Lord, You say that we are to live continually in love, while You remain continually in us. You have created us to be visible expressions of love toward our neighbors. And Lord, You made it clear in Luke 10:27-37, in the lesson of the Good Samaritan, that it doesn't matter, if a person lives, works or does life around us, they are our neighbor. And like that "Good Samaritan," we are to walk with them in God-like love. Like a model walking the runway and displaying the impressive crafts of the designer, enable us to walk the runway of life modeling Your tremendous love.

And let this love consistently be seen by our neighbors. Thank You again for Your grace, mercy and love. I pray in the Name of Jesus, Who loved us to death. Amen

The Pledge of Allegiance was led by President Masterson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 270, AN ACT concerning crimes, punishment and criminal procedure; relating to robbery and aggravated robbery; including in such crimes acts that occur in the course of the taking of property; amending K.S.A. 2022 Supp. 21-5420 and repealing the existing section, by Committee on Federal and State Affairs.

SB 271, AN ACT concerning trains; relating to branch and mainline length; providing for minimum distance for storage of rolling stock, by Committee on Federal and State Affairs.

SB 272, AN ACT concerning public use general aviation airports; increasing the transfer from the state highway fund to the public use general aviation airport development fund; amending K.S.A. 2022 Supp. 75-5061 and repealing the existing section, by Committee on Ways and Means.

SB 273, AN ACT concerning planning and zoning; relating to planning and zoning by a city; eliminating the authority of a city to adopt planning and zoning regulations for land located outside of such city; amending K.S.A. 12-749 and repealing the existing section; also repealing K.S.A. 12-715b, 12-715c and 12-715d, by Committee on Assessment and Taxation.

SB 274, AN ACT concerning property taxation; relating to valuation; requiring the use of the cost approach for special purpose property, by Committee on Assessment and Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Education: **SCR 1608**.

Federal and State Affairs: **SB 268, SB 269**.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2089, HB 2090, HB 2284, HB 2285**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2089, HB 2090, HB 2284, HB 2285 were thereupon introduced and read by title.

On motion of Senator Alley, the Senate recessed until the sound of the gavel.

The Senate met pursuant to recess with President Masterson in the chair.

COMMITTEE OF THE WHOLE

On motion of Senator Alley, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Dietrich in the chair.

On motion of Senator Dietrich the following report was adopted:

SB 66, SB 85, SB 115, SB 132, SB 144, SB 189 be passed.

SB 194 be passed over and retain a place on the calendar.

Vice President Wilborn assumed the chair.

REPORTS OF STANDING COMMITTEES

The Committee on **Assessment and Taxation** recommends **SB 80** be amended on page 1, in line 32, by striking all after the period; by striking all in line 33;

On page 2, in line 3, by striking "\$350,000" and inserting "\$595,000"; in line 10, after the period by inserting "In the case of all base years commencing after December 31, 2021, the upper limit appraised value threshold amount prescribed in this subsection shall be increased each year to reflect the average percentage change in statewide residential valuation of existing residential real property for the preceding 10 years."; in

line 18, after "(f)" by inserting "The household income and appraised value amendments made to this section by this act shall apply retroactively, and the deadline to file claims for tax year 2022 shall be extended to on or before April 15, 2024.

(g)";

On page 1, in the title, in line 4, after the semicolon by inserting "increasing the appraised value threshold for eligibility;"; and the bill be passed as amended.

Committee on **Commerce** recommends **SB 114** be amended on page 2, in line 33, by striking the colon; in line 34, by striking "(1)"; in line 36, by striking all after "care"; in line 37, by striking all before the period;

On page 5, in line 27, after "fuel" by inserting "are not recycled products"; and the bill be passed as amended.

Committee on **Education** recommends **SB 83, SB 123** be passed.

Committee on **Federal and State Affairs** recommends **SB 209, SB 210** be passed.

Also, **SB 208** be amended on page 1, in line 36, by striking all after the period;

On page 2, by striking all in lines 1 and 2; and the bill be passed as amended.

SB 221 be amended on page 2, in line 3, by striking all after "not"; in line 4, by striking all before the first "the" and inserting "earlier than 30 days prior to and not later than 21 days prior to"; by striking all in lines 12 through 22;

On page 4, in line 5, by striking "25-2116,";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, by striking "25-2116,"; and the bill be passed as amended.

Committee on **Financial Institutions and Insurance** recommends **SB 24, SB 27, SB 28, SB 119** be passed.

Also, **SB 104** be amended on page 1, following line 7, by inserting:

"New Section 1. (a) No person or retailer doing business in Kansas in any sales, service or lease transaction with a consumer may impose a surcharge on a consumer who elects to use a credit card as payment unless such person or retailer complies with the following requirements:

(1) A notice shall be posted that explains the imposition of the surcharge, the amount of the surcharge and which credit cards are subject to the surcharge;

(2) such notice shall be clearly and conspicuously posted at the point of entry and the point of sale;

(3) if the sales, service or lease transaction is processed through a website or mobile device, the person or retailer shall post such notice on the home page and the point of sale webpage; and

(4) the notice required by this section shall be prominently and conspicuously posted at the required locations in a minimum size of 16-point font.

(b) All persons or entities accepting credit cards for payment shall be subject to the notice requirements of subsection (a). No such person or entity may impose a surcharge on a person or card holder who elects to use a credit card as payment unless such person or entity complies with such requirements.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 2, after the second semicolon by inserting "requiring notification to consumers of such surcharge;"; and the bill be passed as amended.

The Committee on **Judiciary** recommends **SB 217** be amended on page 3, following line 35, by inserting:

"Sec. 2. K.S.A. 2022 Supp. 23-2224 is hereby amended to read as follows: 23-2224. (a) The court, without requiring bond, may make and enforce orders which:

(1) Restrain the parties from molesting or interfering with the privacy or rights of each other, including, but not limited to, utilizing any electronic tracking system or acquiring tracking information to determine the other person's location, movement or travel patterns;

(2) confirm the existing de facto custody of the child subject to further order of the court, if the court has jurisdiction under 2022 Supp. K.S.A. 23-37,101 et seq., and amendments thereto;

(3) appoint an expert to conduct genetic tests for determination of paternity as provided in K.S.A. 2022 Supp. 23-2212, and amendments thereto;

(4) order the mother and child and alleged father to contact the court appointed expert and provide tissue samples for testing within 30 days after service of the order;

(5) order the payment of temporary child support pursuant to subsection (c); or

(6) the court deems appropriate under the provisions of article 22 of chapter 23 of the Kansas Statutes Annotated, and amendments thereto.

(b) (1) Interlocutory orders authorized by this section that relate to genetic testing may be issued ex parte, if:

(A) The appointed expert is a paternity laboratory accredited by the American association of blood banks; and

(B) the order does not require an adverse party to make advance payment toward the cost of the test.

(2) If such ex parte orders are issued, and if an adverse party requests modification thereof, the court will conduct a hearing within 10 days of such request.

(c) After notice and hearing, the court shall enter an order for child support during the pendency of the action as provided in this subsection. The order shall be entered if the pleadings and the motion for temporary support, if separate from the pleadings, indicate there is only one presumed father and if probable paternity by the presumed father is indicated by clear and convincing evidence. For purposes of this subsection, "clear and convincing evidence" may be presented in any form, including, but not limited to, an uncontested allegation in the pleadings, an uncontested affidavit or an agreement between the parties. For purposes of this subsection, "clear and convincing evidence" means:

(1) The presumed father does not deny paternity;

(2) the mother and the presumed father were married to each other, regardless of whether the marriage was void or voidable, at any time between 300 days before the child's birth and the child's birth;

(3) a voluntary acknowledgment of paternity was completed by the mother and the presumed father more than 60 days before the motion was filed and no request to revoke the voluntary acknowledgment has been filed; or

(4) results of genetic tests show the probability of paternity by the presumed father is equal to or greater than 97% and the report was received more than 20 days before the motion was filed, unless written notice of intent to challenge the validity of the report has been timely given.";

On page 4, in line 5, after "other" by inserting ", including, but not limited to,

utilizing any electronic tracking system or acquiring tracking information to determine the other person's location, movement or travel patterns";

On page 17, in line 19, by striking "or";

On page 19, in line 6, after "privacy" by inserting "rights"; in line 10, after the first comma by inserting "23-2224,";

And by renumbering sections accordingly;

On page 1, in the title, in line 10, after the first comma by inserting "23-2224,"; and the bill be passed as amended.

Also, **SB 228** be amended on page 1, in line 20, after the period by inserting "(a)"; in line 21, by striking "(a)" and inserting "(1)"; in line 23, by striking "the sexes"; in line 24, before the semicolon by inserting "each sex, female and male"; following line 26, by inserting:

"(b) As used in this section, "sex" means the biological state of being female or male based on the individual's organs, chromosomes and endogenous hormone profiles.";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 5, in line 15, by striking "in custody"; also in line 15, after "(1)" by inserting "who is in the custody of an arresting agency"; in line 24, after "(3)" by inserting "Except as provided in K.S.A. 22-4612 and 22-4613, and amendments thereto, the prisoner shall remain in the custody of the arresting agency during the examination required under paragraph (2) and"; and the bill be passed as amended.

SB 238 be amended on page 1, following line 12, by inserting:

"Section 1. K.S.A. 2022 Supp. 21-5601 is hereby amended to read as follows: 21-5601. (a) Endangering a child is knowingly and unreasonably causing or permitting a child under the age of 18 years to be placed in a situation in which the child's life, body or health may be endangered.

(b) Aggravated endangering a child is:

(1) Recklessly causing or permitting a child under the age of 18 years to be placed in a situation in which the child's life, body or health is endangered;

(2) causing or permitting such child to be in an environment where the person knows or reasonably should know that any person is distributing, possessing with intent to distribute, manufacturing or attempting to manufacture any methamphetamine, or analog thereof, as defined by ~~subsection (d)(3) or (f)(1) of K.S.A. 65-4107(d)(3) or (f)(1)~~, and amendments thereto, or any fentanyl-related controlled substance; or

(3) causing or permitting such child to be in an environment where the person knows or reasonably should know that drug paraphernalia or volatile, toxic or flammable chemicals are stored for the purpose of manufacturing or attempting to manufacture any methamphetamine, or analog thereof, as defined by ~~subsection (d)(3) or (f)(1) of K.S.A. 65-4107(d)(3) or (f)(1)~~, and amendments thereto, or any fentanyl-related controlled substance.

(c) (1) Endangering a child is a class A person misdemeanor.

(2) Aggravated endangering a child is a severity level 9, person felony. The sentence for a violation of aggravated endangering a child shall be served consecutively to any other term or terms of imprisonment imposed. Such sentence shall not be considered a departure and shall not be subject to appeal.

(d) Nothing in subsection (a) shall be construed to mean a child is endangered for

the sole reason the child's parent or guardian, in good faith, selects and depends upon spiritual means alone through prayer, in accordance with the tenets and practice of a recognized church or religious denomination, for the treatment or cure of disease or remedial care of such child.

(e) As used in this section:

(1) ~~"Manufacture" means the same as in K.S.A. 2022 Supp. 21-5701, and amendments thereto; and~~

(2) ~~,"drug paraphernalia,"~~ means "fentanyl-related controlled substance" and "manufacture" mean the same as defined in K.S.A. 2022 Supp. 21-5701, and amendments thereto."

On page 14, in line 23, after "Supp." by inserting "21-5601,";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after "to" by inserting "aggravated endangering a child; increasing the criminal penalties in certain environments where any person is distributing, possessing with intent to distribute, manufacturing or attempting to manufacture fentanyl-related controlled substances; relating to"; in line 9, after "Supp." by inserting "21-5601,"; and the bill be passed as amended.

SB 243 be amended on page 1, in line 6, before "Section" inserting "New";

On page 3, in line 2, after "(d)" by inserting "(1)"; in line 6, by striking "(1)" and inserting "(A)"; following line 9, by inserting:

"(2) Upon the minor's or account holder's death, the balance of such account shall be paid to the payable on death beneficiary in accordance with K.S.A. 9-1215, and amendments thereto, or, in the absence of a named payable on death beneficiary, in accordance with the provisions of the Kansas probate code.";

Also on page 3, following line 28, by inserting:

"(3) A financial institution who in good faith opens a restricted savings or other restricted investment account at the direction of the minor or the minor's representatives who entered into a settlement agreement shall not be liable to the minor or the minor's representatives for any claims arising from the use of such funds.";

Also on page 3, following line 33, by inserting:

"(h) Nothing in this section shall prevent the minor or any person acting on behalf of the minor from filing in an appropriate district court and requesting the district court to approve the settlement agreement, the affidavit or verified statement of the person entering into the settlement agreement, the terms and disposition of the settlement proceeds or any other matter or agreement relating to or arising from the claims encompassed by the settlement agreement. The district court shall award any docket fees required to file the action to the minor or person acting on behalf of the minor.

Sec. 2. K.S.A. 38-1707 is hereby amended to read as follows: 38-1707. (a) Subject to subsection (c), a personal representative or trustee may make an irrevocable transfer to another adult or trust company as custodian for the benefit of a minor pursuant to K.S.A. 38-1710, ~~and amendments thereto~~, in the absence of a will or under a will or trust that does not contain an authorization to do so.

(b) Subject to subsection (c), a conservator may make an irrevocable transfer to another adult or trust company as custodian for the benefit of the minor pursuant to K.S.A. 38-1710, ~~and amendments thereto~~.

(c) A transfer under subsection (a) or (b) may be made only if ~~(i)~~:

(1) The personal representative, trustee; or conservator considers the transfer to be

in the best interest of the minor; ~~(ii);~~

(2) the transfer is not prohibited by or inconsistent with provisions of the applicable will, trust agreement; or other governing instrument; ~~and (iii)~~

(3) the transfer is authorized by the court if ~~it~~ such transfer exceeds ~~\$10,000~~ \$25,000 in value.

Sec. 3. K.S.A. 59-3053 is hereby amended to read as follows: 59-3053. (a) A natural guardian shall have the right to the custody of the natural guardian's minor child and the right to exercise control over the person of the natural guardian's minor child as provided by law, unless a guardian has been appointed for the minor. The natural guardian of such minor has the right and responsibility to hold in trust and manage such person's estate for such person's benefit all of the personal and real property vested in such minor when the total of such property does not exceed ~~\$10,000~~ \$25,000 in value, unless a guardian or conservator has been appointed for the minor.

(b) Nothing in this act shall be construed to relieve a natural guardian of any obligation imposed by law for the support, maintenance, care, treatment, habilitation or education of that natural guardian's minor child.

Sec. 4. K.S.A. 59-3055 is hereby amended to read as follows: 59-3055. (a) Any court having either control over or possession of any amount of money not exceeding \$100,000, the right to which is vested in a minor, shall have the discretion to authorize, without the appointment of a conservator or the giving of bond, and notwithstanding the authority of a natural guardian as provided for in K.S.A. 59-3053, and amendments thereto, the deposit of the money in a savings account of a bank, credit union, savings and loan association or any other investment account that the court may authorize, payable either to a conservator, if one shall be appointed for the minor, or to the minor upon attaining ~~the age of 18 years of age.~~

(b) Any court having either control over or possession of any amount of money not exceeding ~~\$10,000~~ \$25,000, the right to which is vested in a minor, shall have the discretion to order the payment of the money to any person, including the natural guardian of the minor, or the minor. If the person is the conservator for the minor, the court may waive or recommend the waiver of the requirement of a bond. If the person is anyone other than the minor, the court shall order that person to hold in trust and manage such person's estate for such person's benefit.

(c) Any court having either control over or possession of any amount of money not exceeding ~~\$10,000~~ \$25,000, the right to which is vested in a person for whom a guardian has been appointed, shall have the discretion to authorize, without the appointment of a conservator or the giving of bond, the deposit of the money in a savings account of a bank, credit union or savings and loan association, payable to the guardian for the benefit of the ward if authorized pursuant to ~~subsection (c)(8) of K.S.A. 59-3075(e)(8),~~ and amendments thereto, payable to a conservator, if one shall be appointed for the person, or payable to the ward on restoration to capacity.

Sec. 5. K.S.A. 38-1707, 59-3053 and 59-3055 are hereby repealed.";

And by redesignating sections, subsections, paragraphs, subparagraphs and clauses accordingly;

On page 1, in the title, in line 3, after the second "minor" by inserting "increasing certain related dollar amounts in the Kansas uniform transfers to minors act and the act for obtaining a guardian or a conservator, or both; amending K.S.A. 38-1707, 59-3053 and 59-3055 and repealing the existing sections"; and the bill be passed as amended.

Committee on **Public Health and Welfare** recommends **SB 5, SB 6** be passed.

Also, **SB 112** be amended on page 1, in line 27, after "qualifications" by inserting ", except that such registered nurse anesthetist shall not perform surgery for the purposes of implantation of medication reservoirs for drug delivery devices";

Following line 35, by inserting:

"(c) A registered nurse anesthetist engaging in independent practice shall not perform, induce or prescribe, procure or administer drugs for an abortion.";

Also on page 1, in the title, in line 3, after the semicolon by inserting "prohibiting the performance or prescribing of drugs for an abortion;"; and the bill be passed as amended.

Committee on **Transportation** recommends **SB 229** be passed.

On motion of Senator Alley, the Senate adjourned until 10:30 a.m., Wednesday, February 22, 2023.

Journal of the Senate

THIRTY-SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, February 22, 2023, 10:30 a.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 40 senators present.
Invocation by Doug Henkle:

Father God, I thank You this morning for Your tremendous love for us. Thank You for all You do for us. Thank You for the blessing it is to be able to confidently find peace in You, even as perspectives regarding the issues before this body differ greatly and are passionately debated.

In Your Word, You guide us saying, "Trust in the LORD with all your heart and lean not on your own understanding; in all your ways submit to Him and He will make your paths straight." Lord, we tend to trust ourselves rather than You, to rely on our own abilities and good intentions instead of Your sovereign goodness and loving care. Jesus, make our paths straight and true.

As turn-around approaches, give us peace Father. Give us a sense of inner peace, peace with You, peace with ourselves and peace with one another despite differing views and approaches to the legislation at hand.

Grant us a sense of priority. Give us the ability to separate the important from the unimportant, the critical from the trivial, the vital from the insignificant, the eternal from the temporary. Give us vision. Show us what can be and ought to be done and how to achieve it.

I pray for President Masterson, Vice President Wilborn, Majority Leader Alley and Minority Leader Sykes. Bless them with Your clear direction as they navigate this chamber through the legislative process. I lift up Speaker Hawkins and the entire leadership team of the House to You as well.

May Your will in each of us individually and collectively, in the Kansas Senate and in this entire building, be accomplished to Your glory and the benefit of all Kansans. In Jesus' Name, Amen!

The National Anthem was performed by Daysia Reneau from Leavenworth, guest of Senator Pittman.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 275, AN ACT concerning the state gaming revenues fund; changing the total amount credited to such fund; increasing the transfer of moneys from such fund to the correctional institutions building fund; decreasing the transfer of moneys from such

fund to the state economic development initiatives fund; amending K.S.A. 79-4801 and 79-4803 and K.S.A. 2022 Supp. 79-4804 and repealing the existing sections, by Committee on Ways and Means.

SB 276, AN ACT concerning industrial hemp; relating to hemp products; specifying the delta-9 tetrahydrocannabinol concentration for final hemp products; allowing certain hemp products to be manufactured, marketed, sold or distributed; amending K.S.A. 2-3901 and 2-3908 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 277, AN ACT concerning health and healthcare; relating to the Kansas department for aging and disability services; providing for the regulation of supplemental nursing services agencies thereby; creating the supplemental nursing services agency regulation fund, by Committee on Ways and Means.

SB 278, AN ACT concerning public utilities; relating to the state corporation commission; requiring public utilities to report information regarding customer assistance programs, account delinquencies and disconnections; requiring monthly, annual and historical reporting of such information, by Committee on Federal and State Affairs.

SB 279, AN ACT concerning the prescription monitoring program; relating to law enforcement officials; granting law enforcement access to the prescription monitoring program database without a warrant; replacing the member of the program advisory committee representing the Kansas bureau of investigation with the attorney general or the attorney general's designee; amending K.S.A. 65-1690 and K.S.A. 2022 Supp. 65-1685 and 65-1689 and repealing the existing sections, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 274**.

Financial Institutions and Insurance: **HB 2089, HB 2090, HB 2284, HB 2285**.

Judiciary: **SB 270**.

Local Government: **SB 273**.

Transportation: **SB 271**.

Ways and Means: **SB 272**.

COMMITTEE OF THE WHOLE

On motion of Senator Alley, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Longbine in the chair.

SB 3, SB 27, SB 28, SB 119, SB 123, SB 229 be passed.

The Committee rose and reported progress. (See Committee of the Whole afternoon session)

On motion of Senator Alley, the Senate recessed until 2:30 p.m.

AFTERNOON SESSION

The Senate met pursuant to recess with President Masterson in the chair.

FINAL ACTION ON CONSENT CALENDAR

SB 195 having appeared on the Consent Calendar for the required two full legislative days without objection from any member, was considered on final action.

SB 195, AN ACT concerning the children's cabinet; authorizing the cabinet to establish a nonprofit corporation to raise funds to benefit the Dolly Parton's imagination library book gifting program.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: Ware.

The bill passed.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 66, AN ACT concerning education; relating to teacher licensure; enacting the interstate teacher mobility compact; recognizing equivalent teacher licenses from other member states, was considered on final action.

On roll call, the vote was: Yeas 35; Nays 4; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Straub, Sykes, Warren, Wilborn.

Nays: Pyle, Steffen, Thompson, Tyson.

Absent or Not Voting: Ware.

The bill passed.

SB 85, AN ACT concerning travel insurance; relating to the licensing and registration of limited lines travel insurance producers and travel retailers; enacting the Kansas travel insurance act; establishing a premium tax for travel insurers; regulating the sale and marketing of travel insurance and travel protection plans; providing for travel administrators; establishing standards for travel insurance policies; amending K.S.A. 40-4903 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 34; Nays 5; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Sykes, Thompson, Warren, Wilborn.

Nays: Pyle, Shallenburger, Steffen, Straub, Tyson.

Absent or Not Voting: Ware.

The bill passed.

SB 115, AN ACT concerning adoption; relating to the Kansas adoption and relinquishment act; required notice of hearing on a petition for adoption; amending K.S.A. 2022 Supp. 59-2133 and repealing the existing section, was considered on final

action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: Ware.

The bill passed.

SB 132, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the buffalo soldier license plate. , was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: Ware.

The bill passed.

SB 144, AN ACT concerning the video competition act; exempting providers of broadcast satellite services and video programming delivered over the internet from the provisions of such act; amending K.S.A. 12-2022 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 32; Nays 6; Present and Passing 1; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Holland, Holscher, Pettey, Reddi, Sykes.

Present and Passing: Francisco.

Absent or Not Voting: Ware.

The bill passed.

SB 189, AN ACT concerning law enforcement; relating to applicants for a law enforcement officer position; authorizing state and local law enforcement agencies to receive certain files and information about the applicant from agencies that received an application from the applicant for a law enforcement position or conducted an employment background investigation; amending K.S.A. 75-4379 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson,

Tyson, Warren, Wilborn.

Absent or Not Voting: Ware.

The bill passed.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2024, HB 2082, HB 2092, HB 2094, HB 2097, HB 2098, HB 2160.**

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2024, HB 2082, HB 2092, HB 2094, HB 2097, HB 2098, HB 2160 were thereupon introduced and read by title.

COMMITTEE OF THE WHOLE

The Senate returned to Committee of the Whole for considerations of bills under the heading of General Orders with Senator Longbine in the chair.

On motion of Senator Longbine the report for the morning and the following afternoon session was adopted:

SB 5, SB 6, SB 34, SB 113, SB 120, SB 180, SB 209, SB 210, SB 219, SB 233 be passed.

Two amendments were offered by Senator Tyson on **SB 209**. A ruling of the chair was requested as to the germaneness to the bill. The Chair of the Rules Committee ruled the amendments not germane.

An amendment was offered by Senator Doll on **SB 210**. A ruling of the chair was requested as to the germaneness to the bill. The Chair of the Rules Committee ruled the amendment not germane.

SB 75, SB 174, SB 217, SB 221 be amended by the adoption of the committee amendments, and the bills be passed as amended.

SB 208 be amended by the adoption of the committee amendments, be further amended by motion of Senator Tyson; on page 1, in line 7, by striking all after "(a)"; by striking all in lines 8 through 27; in line 28, by striking all before the period and inserting "No county election office shall use any remote ballot box for the purposes of the return of advance voting ballots"; in line 30, by striking all after "section"; by striking all in lines 31 and 32; in line 33, by striking all before the period;

On page 2, in line 2, after the stricken material, by inserting "'Remote ballot box' does not include any ballot boxes located in a county election office or satellite advance voting site.";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 1, in the title, in line 2, by striking all before "remote" and inserting "prohibiting the use of"; also in line 2, by striking "that may be used"; in line 3, by striking all after "ballots"; in line 4, by striking all before the period

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 22; Nays 16; Present and Passing 1; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, O'Shea, Olson, Peck, Petersen, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Longbine, McGinn, Pettet, Pittman, Reddi, Ryckman, Sykes.
 Present and Passing: Pyle.
 Absent or Not Voting: Ware.
 and **SB 208** be passed as further amended.

EXPLANATION OF VOTE

Our Secretary of State, Scott Schwab, said that drop boxes are a more reliable and secure way for delivering ballots than the U.S. Postal Service. To quote him: "I don't understand the angst with drop boxes. If I owed you \$1,000, do you want me to put that cash and mail it to you, or would you rather me drop it off?"—DINAH SYKES

Senators Faust-Goudeau, Francisco, Haley, Holland and Pettet request the record to show they concur with the "Explanation of Vote" offered by Senator Sykes on **SB 208**.

I pass on the amendment to **SB 208**. It is redundant. The bill already accomplishes the same.—DENNIS PYLE

SB 194 be amended by the adoption of the committee amendments, be further amended by motion of Senator Billinger; on page 1, in line 10, after the second "county" by inserting "and own real property located in the territory included in the taxing district of the hospital"

and **SB 194** be passed as further amended.

SB 49 be amended by the adoption of the committee amendments, be further amended by motion of Senator Francisco; on page 2, by striking all in lines 9 through 14; in line 15, by striking all before "any"; also in line 15, by striking all after "bonds"; by striking all in lines 16 through 21; in line 22, by striking all before the period and inserting "pursuant to K.S.A. 12-1741b, and amendments thereto, for the purpose of paying all or part of the costs of the purchase, acquisition and equipping of a light-mitigating technology system, subject to the approval of the federal aviation administration, for a wind energy conversion system that has commenced commercial operations in the state without a light-mitigating technology system";

On page 1, in the title, in line 7, by striking "board of"; also in line 7, by striking "commissioners"; in line 9, by striking all after "system"; in line 10, by striking all before the semicolon

and **SB 49** be passed as further amended.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 248** be passed.

Also, **SB 126** be amended on page 1, in line 6, before "Section" by inserting "New"; following line 23, by inserting:

"Sec. 2. K.S.A. 2022 Supp. 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(e)(xv), and amendments thereto, subsection (e)(xv)~~ 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. 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. 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. 72-4357, 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.

(xxviii) For all taxable years beginning after December 31, 2021, the amount of any contributions to, or earnings from, a first-time home buyer savings account if distributions from the account were not used to pay for expenses or transactions authorized pursuant to K.S.A. 2022 Supp. 58-4904, and amendments thereto, or were not held for the minimum length of time required pursuant to K.S.A. 2022 Supp. 58-4904, and amendments thereto. Contributions to, or earnings from, such account shall also include any amount resulting from the account holder not designating a surviving transfer on death beneficiary pursuant to K.S.A. 2022 Supp. 58-4904(e), and amendments thereto.

(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, work opportunity tax credit and similar disallowances under 26 U.S.C. § 280C. For taxable years beginning after December 31, 2019, the provisions of this paragraph shall also apply to the employee retention credit disallowance. The subtraction modifications provided by this paragraph for the work opportunity tax credit and the employee retention credit disallowances shall be limited to 25% of the amount of such disallowances.

(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, 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.

(xxviii) For all taxable years beginning after December 31, 2021: (1) The amount contributed to a first-time home buyer savings account pursuant to K.S.A. 2022 Supp. 58-4903, and amendments thereto, in an amount not to exceed \$3,000 for an individual or \$6,000 for a married couple filing a joint return; or (2) amounts received as income earned from assets in a first-time home buyer savings account.

(xxix) For taxable years beginning after December 31, 2017, for an individual

taxpayer who carried back federal net operating losses arising in a taxable year beginning after December 31, 2017, and before January 1, 2021, pursuant to section 172(b)(1) of the federal internal revenue code as amended by the coronavirus aid, relief, and economic security act (CARES act), the amount of such federal net operating loss carryback for each applicable year. If the amount of such federal net operating loss carryback exceeds the taxpayer's Kansas adjusted gross income for such taxable year, the amount thereof that exceeds such Kansas adjusted gross income may be carried forward as a subtraction modification in the following taxable year or years until the total amount of such federal net operating loss carryback has been deducted, except that no such unused amount shall be carried forward for deduction as a subtraction modification after the 20th taxable year following the taxable year of the net operating loss. Notwithstanding any other provision of law to the contrary, an extension of time shall be allowed for a claim for refund or amended return for tax years 2018, 2019 or 2020 limited to the application of the provisions of this paragraph, and such claim for refund or amended return must be filed on or before April 15, 2025.

(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. 3. K.S.A. 2022 Supp. 79-32,117 is hereby repealed.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 3, after "expenditures" by inserting "; relating to Kansas adjusted gross income; providing a subtraction modification to permit the carryforward of certain net operating losses for individuals and a subtraction modification for the federal work opportunity tax credit and the employee retention credit disallowances; amending K.S.A. 2022 Supp. 79-32,117 and repealing the existing section"; and the bill be passed as amended.

SB 138 be amended on page 1, following line 5, by inserting:

"Section 1. K.S.A. 76-6b01 is hereby amended to read as follows: 76-6b01. (a) There is hereby levied ~~an annual permanent state tax in the year 2023~~ a state tax of 1 mill upon all tangible property in this state ~~which that~~ is subject to ad valorem taxation. ~~The tax levy shall be .6 mill in the year 2003 and 1 mill in the year 2004 and each year thereafter until changed by statute.~~ Such tax levy shall be in addition to all other state tax levies authorized by law. Such tax levy shall be for the use and benefit of the state institutions of higher education. The proceeds of such tax levy shall be apportioned in accordance with this act.

(b) The county treasurer of each county shall make the proceeds of the tax levy provided for in this section available to the state treasurer immediately upon collection. When available the state treasurer shall withdraw from each county the proceeds of the taxes raised by such tax levy. Upon such withdrawal the state treasurer shall deposit the same in the state treasury and shall credit the same as provided in K.S.A. 76-6b02, and

amendments thereto.

Sec. 2. K.S.A. 76-6b02 is hereby amended to read as follows: 76-6b02. (a) All moneys received by the state treasurer under K.S.A. 76-6b01, and amendments thereto, and pursuant to subsection (c) shall be credited to the Kansas educational building fund to be used for the construction, reconstruction, equipment and repair of buildings and grounds at the state educational institutions under the control and supervision of the state board of regents and for payment of debt service on revenue bonds issued to finance such projects, all subject to appropriation by the legislature.

(b) Subject to any restrictions imposed by appropriation acts, the state board of regents is authorized to pledge funds appropriated to it from the Kansas educational building fund or from any other source and transferred to a special revenue fund of the state board of regents specified by statute for the payment of debt service on revenue bonds issued for the purposes set forth in subsection (a). Subject to any restrictions imposed by appropriation acts, the state board of regents is also authorized to pledge any funds appropriated to it from the Kansas educational building fund or from any other source and transferred to a special revenue fund of the state board of regents specified by statute as a priority for the payment of debt service on such revenue bonds. Neither the state or the state board of regents shall have the power to pledge the faith and credit or taxing power of the state of Kansas for such purposes and any payment by the state board of regents for such purposes shall be subject to and dependent on appropriations being made from time to time by the legislature. Any obligation of the state board of regents for payment of debt service on revenue bonds and any such revenue bonds issued for the purposes set forth in subsection (a) 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.

(c) On July 1, 2024, or as soon thereafter as moneys are available, \$41,800,000 shall be transferred by the director of accounts and reports from the state general fund to the Kansas educational building fund. On July 1, 2025, and on July 1 each year thereafter, or as soon thereafter as moneys are available, an amount equal to the amount pursuant to this subsection for the immediately preceding year plus 2% shall be transferred by the director of accounts and reports from the state general fund to the Kansas educational building fund.

Sec. 3. K.S.A. 76-6b04 is hereby amended to read as follows: 76-6b04. (a) There is hereby levied ~~an annual permanent state tax in the year 2023 a state tax of 0.5 mill~~ upon all tangible property in this state ~~which that~~ is subject to ad valorem taxation. ~~The tax levy shall be .3 mill in the year 2003 and .5 mill in the year 2004 and each year thereafter until changed by statute.~~ The tax levy shall be in addition to all other state tax levies authorized by law. The tax levy shall be for the use and benefit of state institutions caring for persons who are mentally ill, retarded, visually handicapped, with a handicapping hearing loss or tubercular or state institutions caring for children who are deprived, wayward, miscreant, delinquent, children in need of care or juvenile offenders and who are in need of residential care or treatment, or institutions designed primarily to provide vocational rehabilitation for handicapped persons. As used in this section, "state institutions" shall include, but not be limited to, those institutions under the authority of the commissioner of juvenile justice. The proceeds of such tax levy shall be apportioned in accordance with this act.

(b) The county treasurer of each county shall make the proceeds of the tax levy

provided for in this section available to the state treasurer immediately upon collection. When available, the state treasurer shall withdraw from each county the proceeds of the taxes raised by such tax levy. Upon such withdrawal the state treasurer shall deposit the same in the state treasury and shall credit the same as provided in K.S.A. 76-6b05, and amendments thereto.

Sec. 4. K.S.A. 76-6b05 is hereby amended to read as follows: 76-6b05. (a) All moneys received by the state treasurer under K.S.A. 76-6b04, and amendments thereto, and pursuant to subsection (e) shall be credited to the state institutions building fund, which is hereby created in the state treasury, to be used for the construction, reconstruction, equipment and repair of buildings and grounds at institutions specified in K.S.A. 76-6b04, and amendments thereto, and for payment of debt service on revenue bonds issued to finance such projects, all subject to appropriation by the legislature.

(b) Subject to any restrictions imposed by appropriation acts, the juvenile justice authority is authorized to pledge funds appropriated to it from the state institutions building fund or from any other source and transferred to a special revenue fund of the juvenile justice authority specified by statute for the payment of debt service on revenue bonds issued for the purposes set forth in subsection (a). Subject to any restrictions imposed by appropriation acts, the juvenile justice authority is also authorized to pledge any funds appropriated to it from the state institutions building fund or from any other source and transferred to a special revenue fund of the juvenile justice authority specified by statute as a priority for the payment of debt service on such revenue bonds. Neither the state or the juvenile justice authority shall have the power to pledge the faith and credit or taxing power of the state of Kansas for such purposes and any payment by the juvenile justice authority for such purposes shall be subject to and dependent on appropriations being made from time to time by the legislature. Any obligation of the juvenile justice authority for payment of debt service on revenue bonds and any such revenue bonds issued for the purposes set forth in subsection (a) 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.

(c) Subject to any restrictions imposed by appropriation acts, the Kansas department for aging and disability services is authorized to pledge funds appropriated to it from the state institutions building fund or from any other source and transferred to a special revenue fund of the Kansas department for aging and disability services specified by statute for the payment of debt service on revenue bonds issued for a new state security hospital on the Larned state hospital grounds or any other capital improvement projects at any other institution or facility of the Kansas department for aging and disability services. Subject to any restrictions imposed by appropriation acts, the Kansas department for aging and disability services is also authorized to pledge any funds appropriated to it from the state institutions building fund or from any other source and transferred to a special revenue fund of the Kansas department for aging and disability services specified by statute as a priority for the payment of debt service on such revenue bonds. Neither the state or the Kansas department for aging and disability services shall have the power to pledge the faith and credit or taxing power of the state of Kansas for such purposes and any payment by the Kansas department for aging and disability services for such purposes shall be subject to and dependent on appropriations being made from time to time by the legislature. Any obligation of the Kansas

department for aging and disability services for payment of debt service on revenue bonds and any such revenue bonds issued for a new state security hospital on the Larned state hospital grounds or any other capital improvement projects at any other institution or facility of the Kansas department for aging and disability services 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.

(d) Subject to any restrictions imposed by appropriation acts, the director of the Kansas commission on veterans affairs office is authorized to pledge funds appropriated to it from the state institutions building fund or from any other source and transferred to a special revenue fund of the Kansas commission on veterans affairs office specified by statute for the payment of debt service on revenue bonds issued for veterans' home HVAC system replacement. Subject to any restrictions imposed by appropriation acts, the director of the Kansas commission on veterans affairs office is also authorized to pledge any funds appropriated to it from the state institutions building fund or from any other source and transferred to a special revenue fund of the Kansas commission on veterans affairs office specified by statute as a priority for the payment of debt service on such revenue bonds. Neither the state nor the director of the Kansas commission on veterans affairs office shall have the power to pledge the faith and credit or taxing power of the state of Kansas for such purposes and any payment by the Kansas commission on veterans affairs office for such purposes shall be subject to and dependent on appropriations being made from time to time by the legislature. Any obligation of the Kansas commission on veterans affairs office for payment of debt service on revenue bonds and any such revenue bonds issued for veterans' home HVAC system replacement 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.

(e) On July 1, 2024, or as soon thereafter as moneys are available, \$20,900,000 shall be transferred by the director of accounts and reports from the state general fund to the state institutions building fund. On July 1, 2025, and on July 1 each year thereafter, or as soon thereafter as moneys are available, an amount equal to the amount pursuant to this subsection for the immediately preceding year plus 2% shall be transferred by the director of accounts and reports from the state general fund to the state institutions building fund.

Sec. 5. K.S.A. 76-6b11 is hereby amended to read as follows: 76-6b11. (a) ~~Except as provided in subsection (e),~~ On July 1 of each year, the director of accounts and reports shall record a debit to the state treasurer's receivables for the Kansas educational building fund, the state institutions building fund and the state general fund and shall record a corresponding credit to each such fund in an amount equal to 95% of the amount credited respectively to each such fund during the immediately preceding fiscal year, except that such amount shall be proportionally adjusted with respect to any such fund in any fiscal year for any change in the tax levy rate for any such fund.

(b) All taxes received by the state treasurer under K.S.A. 76-6b01; ~~and 76-6b04 and section 15 [L. 2003, ch. 146, § 15],~~ and amendments thereto, and the provisions of section 15 of chapter 146 of the 2003 Session Laws of Kansas during the current fiscal year shall be deposited in the state treasury to the credit of the Kansas educational building fund, the state institutions building fund and the state general fund, respectively, and shall reduce the amount debited and credited to such funds under subsection (a).

(c) On June 30 of each year, the director of accounts and reports shall adjust the amounts debited and credited to the state treasurer's receivables and to the Kansas educational building fund, the state institutions building fund and the state general fund pursuant to this section, to reflect the taxes actually received by the state treasurer and deposited during the fiscal year in the state treasury to the credit of each such fund.

(d) The director of accounts and reports shall notify the state treasurer of all amounts debited and credited to the Kansas educational building fund, the state institutions building fund and the state general fund pursuant to this section and all reductions and adjustments thereto made pursuant to this section. 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 such funds by the state treasurer in accordance with the notice thereof.

~~(e) On October 1, 2003, the director of accounts and reports shall make such adjustments and amendments as may be required to reflect and account for the property tax imposed by K.S.A. 79-2976 as if such tax had been in effect on July 1, 2003. The provisions of this section shall expire on June 30, 2024.~~;

Also on page 1, following line 22, by inserting:

"Sec. 7. K.S.A. 2022 Supp. 79-201x is hereby amended to read as follows: 79-201x. (a) For taxable year ~~2022~~ 2023, and all taxable years thereafter, the following described property, to the extent herein specified, shall be and is hereby exempt from the property tax levied pursuant to the provisions of K.S.A. 72-5142, and amendments thereto: Property used for residential purposes to the extent of ~~\$40,000~~ \$65,000 of its appraised valuation.

(b) For taxable year ~~2023~~ 2024, and all taxable years thereafter, the dollar amount of the extent of appraised valuation that is exempt pursuant to subsection (a) shall be adjusted to reflect the average percentage change in statewide residential valuation of all residential real property for the preceding 10 years. Such average percentage change shall not be less than zero. The director of property valuation shall calculate the average percentage change for purposes of this annual adjustment and calculate the dollar amount of the extent of appraised valuation that is exempt pursuant to this section each year.";

Also on page 1, in line 23, after "K.S.A." by inserting "76-6b01, 76-6b02, 76-6b04, 76-6b05, 76-6b11 and"; also in line 23, by striking "is" and inserting "and K.S.A. 2022 Supp. 79-201x are";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the semicolon by inserting "increasing the extent of exemption for residential property from the statewide school levy; relating to tax levies; discontinuing the state tax levies for the Kansas educational building fund and the state institutions building fund; providing financing therefor from the state general fund;"; in line 3, after "K.S.A." by inserting "76-6b01, 76-6b02, 76-6b04, 76-6b05, 76-6b11 and"; also in line 3, after "and" by inserting "K.S.A. 2022 Supp. 79-201x and"; also in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

SB 252 be amended on page 1, in line 14, by striking "ambulance service,"; in line 15, by striking "county" and inserting "city"; in line 17, after "business" by inserting ", such competing activity by the governmental entity began after the business started using the real property for qualifying purposes"; in line 27, by striking the colon; in line

28, by striking "(A)"; in line 31, by striking "; or"; by striking all in line 32; in line 33, by striking all before the period;

On page 39, in line 13, by striking "ambulance service,"; in line 15, by striking "county" and inserting "city"; in line 16, after "business" by inserting ", such competing activity by the governmental entity began after the business started using the real property for qualifying purposes"; in line 19, by striking "ambulance"; in line 20, by striking "service,"; in line 23, by striking all before "child"; and the bill be passed as amended.

Committee on **Education** recommends **SB 13** be amended on page 1, in line 7, after "into" by inserting "or renews"; in line 8, after the first "a" by inserting "regular season activity or"; also in line 8, by striking the second "a"; in line 9, by striking "broadcaster" and inserting "broadcasters"; also in line 9, after "schools" by inserting "regular season activity or"; in line 10, by striking "broadcaster" and inserting "broadcasters"; in line 11, by striking "Provides" and inserting "Provide"; in line 13, by striking "broadcasts a majority" and inserting "broadcast at least $\frac{1}{3}$ "; in line 15, by striking "broadcasts" and inserting "broadcast"; in line 18, by striking the first "a"; also in line 18, by striking "broadcaster" and inserting "broadcasters"; also in line 18, by striking the second "a" and inserting "regular season or"; in line 19, by striking "agreement" and inserting "agreements"; in line 26, by striking "means" and inserting "mean"; and the bill be passed as amended.

Also, **SB 82** be amended on page 1, in line 12, before ""Athlete"" by inserting ""Activity" means any school activity or contest in the fields of athletics, music, forensics, dramatics and any other interschool extracurricular activity by students enrolled in any of the grades seven through 12.

(2)";

Also on page 1, in line 13, by striking "extracurricular"; in line 22, by striking "extracurricular"; in line 28, by striking "either"; also in line 28, by striking "extracurricular"; in line 29, by striking "activity or non-extracurricular"; by striking all in lines 32 through 36;

On page 2, by striking all in lines 1 through 3; in line 5, by striking "extracurricular"; in line 14, by striking "extracurricular"; in line 18, after "(11)" by inserting ""Licensed speech-language pathologist" means an individual who is licensed by the Kansas department for aging and disability services and practicing in a school setting as an employee of a school district or special education cooperative.

(12)";

Also on page 2, in line 29, by striking "extracurricular";

On page 3, in line 7, by striking "extracurricular"; in line 9, after "(3)" by inserting "Schools shall establish a return-to-learn protocol for any athlete who has sustained a concussion. The return-to-learn protocol shall recognize that a student who has sustained a concussion and returned to school may need formal or informal accommodations, modifications of curriculum and monitoring by medical or academic staff until the athlete has fully recovered.

(4) The school concussion management team shall establish a return-to-learn protocol based on scientific evidence-based practices consistent with the United States centers for disease control and prevention guidelines and the Kansas state high school activities association guidelines for the student's return to the classroom.

(5)";

Also on page 3, by striking all in lines 14 through 18; in line 19, by striking "shall" and inserting "may"; in line 20, by striking "shall"; in line 26, by striking "and"; in line 27, after "any" by inserting ";

(F) licensed speech-language pathologist; and

(G) any other licensed individual deemed appropriate by the school";

Also on page 3, in line 31, by striking "extracurricular"; by striking all in lines 33 through 38; in line 39, by striking "extracurricular";

On page 4, in line 7, by striking "and"; in line 8, after "(G)" by inserting "licensed speech-language pathologist; and

(H)";

Also on page 4, in line 11, by striking "extracurricular"; in line 15, by striking "extracurricular"; in line 21, by striking "extracurricular"; in line 36, by striking "extracurricular";

On page 5, in line 3, by striking all after "(B)"; by striking all in lines 4 and 5; in line 6, by striking "(C)"; in line 8, after "learn" by inserting ";

(C) has successfully completed each requirement of the return-to-play protocol established by the school necessary for the athlete to return to play";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and the bill be passed as amended.

SB 98 be amended on page 1, following line 9, by inserting:

"Section 1. K.S.A. 74-3265 is hereby amended to read as follows: 74-3265. (a) Within the limits of appropriations for osteopathic medical service scholarships, and in accordance with the provisions of this section, the state board of regents may award such scholarships to Kansas residents who are undergraduate students enrolled in or admitted to accredited or pre-accredited schools of osteopathic medicine in a course of instruction leading to the degree of doctor of osteopathy and who enter into a written agreement with the state board of regents as provided in K.S.A. 74-3266, and amendments thereto.

(b) Osteopathic medical service scholarships shall be in effect for the period of time specified in subsection (c) and shall provide to the person receiving the scholarship the payment of an amount not to exceed the maximum amount of a loan authorized to be made under the medical student loan act.

(c) Osteopathic medical service scholarships shall be awarded on an annual basis and shall be in effect for one year unless otherwise terminated before the expiration of such period of time. A Kansas resident who is an undergraduate student enrolled in or admitted to an accredited or pre-accredited school of osteopathic medicine in a course of instruction leading to the degree of doctor of osteopathy may be awarded a scholarship for each year the student enters into a written agreement with the state board of regents as provided in K.S.A. 74-3266, and amendments thereto, up to a maximum of four years. For each year a student is awarded a scholarship, the student shall engage in the practice of medicine and surgery in Kansas for the period of time specified in ~~subsection (a)(3)~~ of K.S.A. 74-3266~~(a)(3)~~, and amendments thereto, unless such obligation is otherwise satisfied as provided in K.S.A. 74-3268, and amendments thereto.

(d) The state board of regents shall not award more than ~~15.25~~ osteopathic medical service scholarships in any year to persons who have not previously been awarded such a scholarship and, in any case, the state board shall not award more than ~~60~~ 80 such

scholarships in any year. In selecting Kansas residents to be awarded osteopathic medical service scholarships, the state board shall give primary consideration to students commencing their first year of instruction at accredited or pre-accredited schools of osteopathic medicine and thereafter shall consider students in later years of instruction.

Sec. 2. K.S.A. 74-3268 is hereby amended to read as follows: 74-3268. (a) An obligation to engage in the practice of medicine and surgery in accordance with an agreement under K.S.A. 74-3266, and amendments thereto, shall be postponed during any period of time: (1) ~~During any~~ Of required ~~period of~~ active military service; (2) ~~during any period~~ of service as a part of volunteers in service to America (VISTA); (3) ~~during any period~~ of service in the peace corps; (4) ~~during any period~~ of service commitment to the United States public health service; (5) ~~during any period~~ of religious missionary work conducted by an organization exempt from tax under section 501(c)(3) of the federal internal revenue code as in effect on December 31, 2000; (6) ~~during any period of time~~ the person obligated is engaged solely in the teaching of medicine; (7) ~~during any period of time~~ the person obligated is engaged solely in medical research; (8) ~~during any period of time~~ the person obligated is unable because of temporary medical disability to practice medicine and surgery; (9) ~~during any period of time~~ the person obligated is on job-protected leave under the federal family and medical leave act of 1993; ~~or~~ (10) ~~during any period of time~~ the state board of regents determines that the person obligated is unable because of special circumstances to practice medicine and surgery; or (11) not longer than one year during which the person participates in a healthcare-related fellowship program.

(b) ~~Except for clauses subsection (a)(8), (9) and (10),~~ an obligation to engage in the practice of medicine and surgery in accordance with an agreement under K.S.A. 74-3266, and amendments thereto, shall not be postponed more than five years from the time the practice of medicine and surgery was to have been commenced under any such agreement. An obligation to engage in the practice of medicine and surgery in accordance with an agreement under K.S.A. 74-3266, and amendments thereto, shall be postponed under ~~clause subsection (a)(8)~~ during the period of time the medical disability exists. An obligation to engage in the practice of medicine and surgery in accordance with an agreement under K.S.A. 74-3266, and amendments thereto, shall be postponed under ~~clause subsection (a)(9)~~ during the period of time the person obligated remains on FMLA leave. An obligation to engage in the practice of medicine and surgery in accordance with an agreement under K.S.A. 74-3266, and amendments thereto, shall be postponed under ~~clause subsection (a)(10)~~ during the period of time the state board of regents determines that the special circumstances exist. The state board of regents shall adopt rules and regulations prescribing criteria or guidelines for determination of the existence of special circumstances causing an inability to practice medicine and surgery, and shall determine the documentation required to prove the existence of such circumstances.

(b)(c) An obligation to engage in the practice of medicine and surgery in accordance with an agreement under K.S.A. 74-3266, and amendments thereto, shall be satisfied: (1) If the obligation to engage in the practice of medicine and surgery has been completed in accordance with the agreement; (2) if the person obligated dies; (3) if, because of permanent physical disability, the person obligated is unable to practice medicine and surgery; (4) if the person obligated fails to satisfy the requirements for a

degree of doctor of osteopathy after making the best effort possible to obtain such degree; or (5) if the person obligated fails to satisfy all requirements for a permanent license to practice medicine and surgery in Kansas or any other jurisdiction or has been denied a license after the person has applied for a license and has made the best effort possible to obtain a license.";

On page 4, in line 32, after the period by inserting "Any person who fails to satisfy the obligation to engage in the full-time practice of medicine and surgery in accordance with this section due to active military service of such person or such person's spouse shall not be required to pay the 15% annual interest rate on any moneys received under such agreement.";

On page 6, following line 34, by inserting:

"Sec. 6. K.S.A. 76-386 is hereby amended to read as follows: 76-386. (a) An obligation to engage in the practice of medicine and surgery in accordance with an agreement under this act shall be postponed during any period of time for: (1) During any Required-period of active military service of the person obligated or such person's spouse; (2) during any period of service as a part of volunteers in service to America (VISTA); (3) during any period of service in the peace corps; (4) during any period of service commitment to the United States public health service; (5) during any period of religious missionary work conducted by an organization exempt from tax under subsection (c) of section 501 of the federal internal revenue code of 1986; or (6) during any period of temporary medical disability during which the person obligated is unable because of such medical disability to practice medicine and surgery; or (7) not more than one year during which the person participates in a healthcare-related fellowship program.

~~(b)~~ Except for ~~clause (6) of this subsection (a)(6)~~, an obligation to engage in the practice of medicine and surgery in accordance with an agreement under this act shall not be postponed more than five years from the time the practice of medicine and surgery was to have been commenced under any such agreement. An obligation to engage in the practice of medicine and surgery in accordance with an agreement under this act shall be postponed under ~~clause (6) of this subsection (a)(6)~~ during the period of time the medical disability exists.

~~(b)(c)~~ An obligation to engage in the practice of medicine and surgery in accordance with an agreement under this act shall be satisfied: (1) If the obligation to engage in the practice of medicine and surgery in accordance with an agreement under this act has been completed; (2) if the person obligated dies; or (3) if, because of permanent physical disability, the person obligated is unable to practice medicine and surgery.";

On page 8, in line 4, after the period by inserting "Any person who fails to satisfy the obligation to engage in the full-time practice of medicine and surgery in accordance with this section due to active military service of such person or such person's spouse shall not be required to pay the 15% annual interest rate on any moneys received under such agreement."; in line 9, after the semicolon by inserting "(2) any period of not more than one year during which the person participates in a healthcare-related fellowship program; (3) any required period of active military service of the person obligated or such person's spouse"; also in line 9, by striking "(2)" and inserting "(4)";

On page 10, in line 12, after "K.S.A." by inserting "74-3265, 74-3268,"; also in line 12, after "76-385," by inserting "76-386,";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "loan" and inserting "medical"; in line 2, by striking "the university of Kansas school of medicine" and inserting "financial assistance therefor; osteopathic medical service scholarships"; in line 6, after "K.S.A." by inserting "74-3265, 74-3268,"; also in line 6, after "76-385" by inserting ", 76-386"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 232** be amended by substituting with a new bill to be designated as "Substitute for SENATE BILL NO. 232," as follows:

"Substitute for SENATE BILL NO. 232

By Committee on Judiciary

"AN ACT concerning children and minors; establishing the office of the child advocate as an independent state agency and prescribing certain powers, duties and functions therefor; authorizing access to certain records; relating to children in need of care; making orders granting custody for adoption subject to the federal Indian child welfare act; directing the secretary for children and families to consider foster parents as prospective adoptive parents under certain circumstances; requiring the secretary to report certain data on adoptions; authorizing the appeal of any order of placement of a child; providing for retroactivity; amending K.S.A. 38-2203, 38-2213, 38-2270, 38-2273, 38-2309 and 38-2310 and K.S.A. 2022 Supp. 38-2211 and 38-2212 and repealing the existing sections.";

And the substitute bill be passed.

Committee on **Public Health and Welfare** recommends **SB 131** be amended by substituting with a new bill to be designated as "Substitute for SENATE BILL NO. 131," as follows:

"Substitute for SENATE BILL NO. 131

By Committee on Public Health and Welfare

"AN ACT concerning certain healthcare providers; relating to the powers, duties and functions thereof; providing a sports waiver for certain out-of-state physicians to practice medicine on a limited basis in this state during certain sporting events; authorizing the state board of healing arts to adopt procedures to allow other licensed and regulated healthcare professionals to be issued a sports waiver; authorizing the state board of healing arts to adopt rules and regulations related thereto.";

And the substitute bill be passed.

On motion of Senator Alley, the Senate adjourned until 10:00 a.m., Thursday, February 23, 2023.

Journal of the Senate

THIRTY-THIRD DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, February 23, 2023, 10:00 a.m.

The Senate was called to order by President Ty Masterson.

The roll was called with 40 senators present.

Invocation by Doug Henkle:

Loving Heavenly Father, thank You for the rest through the night. Thank You for the opportunity to meet the challenges of today. These challenges can appear overwhelming, the solutions elusive. Yet we know that You, oh Lord, the ultimate statesman, have the resolution to every obstacle. So we look forward with great anticipation to feeling, to seeing Your Holy Spirit move in this Senate as differences are resolved and satisfactory solutions are achieved to Your glory and for the benefit of our state.

As we work through the day, cause us to argue our positions, to present reasons for or against the matters at hand in an honorable way to the best of our ability.

I lift up President Masterson, Vice President Wilborn. Majority Leader Alley and Minority Leader Sykes to You. Bless them with Your wisdom, Your knowledge and Your understanding as they lead this chamber to a beneficial resolution of the matters before it.

At the end of the day, cause us to reflect not on what we gained or lost personally but by what was accomplished in this legislative body called the Kansas Senate, for the people of Kansas. In Jesus' Name, Amen.

The Pledge of Allegiance was led by President Masterson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 280, AN ACT concerning crimes, punishment and criminal procedure; relating to use of force; modifying the initial aggressor standard; changing immunity from criminal prosecution and civil action to an affirmative defense; requiring reporting and publication of certain data by the Kansas bureau of investigation and the judicial administrator related to use of force cases; amending K.S.A. 2022 Supp. 21-5226 and 21-5231 and repealing the existing sections, by Committee on Federal and State Affairs.

SCR 1609—A CONCURRENT RESOLUTION making application to the Congress of the United States to call a limited national convention for the exclusive purpose of proposing an amendment to the Constitution of the United States establishing term limits for members of Congress, by Senators Claeys, Alley, Baumgardner, Blasi, Bowers, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, Peck, Steffen, Straub,

Thompson, Warren and Wilborn.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Federal and State Affairs: **SB 276**.

Judiciary: **SB 279**.

Public Health and Welfare: **SB 277**.

Utilities: **SB 278**.

Ways and Means: **SB 275**.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 3, AN ACT designating *Silvisaurus condrayi* as the official state land fossil, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

SB 5, AN ACT concerning health and healthcare; related to the Kansas telemedicine act; prohibiting the prescribing of medications intended to induce an abortion via telemedicine; restricting the power of the governor during a state of emergency to alter such abortion prohibitions; amending K.S.A. 40-2,215 and K.S.A. 2022 Supp. 48-925 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 27; Nays 12; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Present and Passing: Dietrich.

The bill passed.

EXPLANATION OF VOTE

Kansas was the first state to vote on abortion rights after *Roe v. Wade* was overturned in June 2022. On August 2nd, Kansans overwhelmingly voted to defeat a constitutional amendment that would have allowed anti-abortion politicians to ban abortion, with 59% voting no on the proposed amendment. Since then, legislators in both the House and Senate have introduced legislation aimed at restricting access, promoting predatory and manipulative practices, and outright banning abortion. They are ignoring the will of Kansas voters who said loudly and clearly that attempts by politicians to insert themselves into these decisions are an unwanted overreach by our government. **SB 5** is

yet another one of these attempts, and I stand with the overwhelming majority of Kansans – and 72% of my constituents – who want these power grabs to stop.—DINAH SYKES

Senators Francisco and Pettey request the record to show they concur with the "Explanation of Vote" offered by Senator Sykes on **SB 5**.

SB 6, AN ACT concerning infectious or contagious diseases; relating to the secretary of health and environment and local health officers; restricting the powers thereof; repealing authority of the secretary to order individuals to isolate or quarantine and impose associated penalties therefor; amending K.S.A. 65-116g, 65-118, 65-119, 65-128, 65-129b and 65-129d and K.S.A. 2022 Supp. 65-101, 65-202 and 72-5180 and repealing the existing sections; also repealing K.S.A. 65-126, 65-127, 65-129 and 65-129c, was considered on final action.

On roll call, the vote was: Yeas 22; Nays 18; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Blasi, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Billinger, Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Longbine, McGinn, O'Shea, Pettey, Pittman, Reddi, Sykes, Ware.

The bill passed.

EXPLANATION OF VOTE

Over the past three years, this body has taken unprecedented and mind boggling steps to cast aside experts and give the Legislature power over decisions that, one, we have very little subject matter expertise on, and two, have a troubling pattern of using for political games as opposed to the best interests of our constituents. Just two years ago, we took steps to ensure elected officials have clear oversight on the orders of local health officers. Now we're reducing those same health officers to an advisory capacity and leaving the responsibility of stopping the spread of infectious diseases to a part-time citizen legislature, with far too many members who have shown themselves to be susceptible to conspiracy theories and misinformation in the face of public health crises. While most of the population is vaccinated against diseases such as measles, mumps, whooping cough, and more, some children are too young to receive standard immunizations. Outbreaks must be quickly stopped through infectious disease outbreak tools before children are hospitalized, end up with lifelong health complications, or die from these diseases. Our children cannot afford to wait around for politicians to come back to Topeka, and our state cannot trust that those politicians will even take the threat of these outbreaks seriously. I vote NO.—DINAH SYKES

SB 27, AN ACT concerning insurance; relating to the uniform insurance agents licensure act; public adjusters licensing act; authorizing the commissioner of insurance to set the amount of certain fees; requiring information obtained from background checks, fingerprinting and criminal history records checks be used solely for the purpose of verifying the identification of an applicant and the fitness of an applicant to be issued a license as an insurance agent; amending K.S.A. 40-4905, 40-4906 and 40-5505 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 2; Present and Passing 0; Absent or Not

Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Pyle, Tyson.

The bill passed.

SB 28, AN ACT concerning insurance; relating to certain group-funded insurance pools; discontinuing payments paid to the group-funded pools fee fund and the group-funded workers' compensation fee fund; transferring such balances and abolishing such funds; establishing the group-funded pools refund fund; refunding the balance thereof and abolishing such fund on July 1, 2024; amending K.S.A. 44-588 and repealing the existing section; also repealing K.S.A. 12-2623 and 44-587, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Pyle.

The bill passed.

SB 34, AN ACT concerning housing; relating to the Kansas rural housing incentive district act; expanding the availability of such districts to certain cities and the use of bond proceeds; amending K.S.A. 12-5241, 12-5242 and 12-5249 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 30; Nays 6; Present and Passing 4; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Sykes, Ware, Wilborn.

Nays: Erickson, Peck, Steffen, Straub, Thompson, Tyson.

Present and Passing: Gossage, Holland, Pyle, Warren.

The bill passed.

SB 49, AN ACT concerning wind energy conversion systems; relating to aviation obstruction lighting; requiring new wind energy conversion systems to be constructed with light-mitigating technology systems prior to the commencement of operations; requiring existing wind energy conversion systems to install light-mitigating technology systems upon execution of a long-term power offtake agreement; authorizing any county to issue revenue bonds to finance some or all of the costs of the installation of a light-mitigating technology system; making all such installations subject to the approval of the federal aviation administration, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Steffen.

The bill passed, as amended.

SB 75, AN ACT concerning the legal rate of interest; relating to the percentage rate used to calculate interest; amending K.S.A. 16-201 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 2; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Present and Passing: Olson, Pyle.

The bill passed, as amended.

SB 113, AN ACT concerning health and healthcare; relating to naturopathic doctors; providing naturopathic doctors a certificate of authorization for a business entity to practice medicine; amending K.S.A. 17-2710 and K.S.A. 2022 Supp. 65-28,134 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 1; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Dietrich.

Present and Passing: Holscher.

The bill passed.

SB 119, AN ACT concerning insurance; relating to insurance law; updating certain obsolete statutory references contained therein; amending K.S.A. 40-201, 40-216, 40-241 and 40-955 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

SB 120, AN ACT concerning water; relating to water infrastructure projects; authorizing the secretary of health and environment to adopt rules and regulations for an annual certification program for the replacement of distributions systems segments;

increasing the amortization period on loans from the Kansas water pollution control revolving fund; amending K.S.A. 65-163 and 65-3326 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 37; Nays 3; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Steffen, Sykes, Tyson, Ware, Warren, Wilborn.

Nays: Pyle, Straub, Thompson.

The bill passed.

SB 123, AN ACT concerning postsecondary education; relating to residency determination of certain students; deeming veterans and dependents or spouses of such veterans who were stationed in the state for at least 11 months as residents for purposes of tuition and fees; amending K.S.A. 2022 Supp. 48-3601 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

EXPLANATION OF VOTE

I vote Aye on **SB 123** which would give in-state college tuition to military children who have been previously stationed in Kansas, but have since been deployed elsewhere. Military dependents make daily sacrifices, experiencing fears and distinct challenges as a result of their parents serving our country; they make relationships that are then broken as they move and often find themselves an island adrift from a geographic home. When they find Kansas to be the community they want to come back to, the community they love, the community that makes those sacrifices worthwhile, this small step is a way for Kansas to say Welcome Home.—JEFF PITTMAN

Senator Peck requests the record to show he concurs with the "Explanation of Vote" offered by Senator Pittman on **SB 123**.

SB 174, AN ACT concerning crimes, punishment and criminal procedure; relating to interference with law enforcement; increasing criminal penalties when the violation involves fleeing from a law enforcement officer; amending K.S.A. 2022 Supp. 21-5904 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 32; Nays 6; Present and Passing 2; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes,

Thompson, Warren, Wilborn.

Nays: Faust-Goudeau, Haley, Holscher, Shallenburger, Tyson, Ware.

Present and Passing: Francisco, Holland.

The bill passed, as amended.

SB 180, AN ACT establishing the women's bill of rights; providing a meaning of biological sex for purposes of statutory construction, was considered on final action.

On roll call, the vote was: Yeas 26; Nays 11; Present and Passing 3; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Present and Passing: Dietrich, Doll, McGinn.

The bill passed.

EXPLANATION OF VOTE

The “Women’s Bill of Rights” is an insulting reduction of women and men to their reproductive capacity. It is widely accepted that gender identity and expression are a product of complementary biological, personal, and cultural influences. Reducing humans to our ovaries and sperm is an alarming, dystopian view on the wide ranging spectrum of human experiences. This is an attempt to create a simple definition for something that is incredibly complex, and in doing so, politicians are trying to further divide us. I vote NO.—DINAH SYKES

SB 194, AN ACT concerning hospital districts; relating to the qualifications of hospital board members; removing the requirement that such members be qualified electors; amending K.S.A. 80-2506 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 2; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Steffen, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Pyle, Straub.

The bill passed, as amended.

SB 208, AN ACT concerning elections; relating to advance voting ballots; prohibiting the use of remote ballot boxes for the return of such ballots, was considered on final action.

On roll call, the vote was: Yeas 21; Nays 19; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, Olson, Peck, Petersen, Pyle, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren.

Nays: Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland,

Holscher, Longbine, McGinn, O'Shea, Pettey, Pittman, Reddi, Ryckman, Sykes, Ware, Wilborn.

The bill passed, as amended.

SB 209, AN ACT concerning elections; relating to advance voting ballots; requiring the return of such ballots by 7 p.m. on the day of the election; amending K.S.A. 25-1132 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 23; Nays 17; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Blasi, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Billinger, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Longbine, McGinn, O'Shea, Pettey, Pittman, Reddi, Sykes, Ware.

The bill passed.

EXPLANATION OF VOTE

Just six sessions ago, the Kansas Legislature added the 3-day grace period in response to longer turnaround times for USPS first-class mail. That policy passed out of this chamber unanimously. If this body truly believed that there was a question of election integrity in our state, legislators would be sounding the alarm on whether or not they were legitimately elected to serve in the Legislature. The fact that they aren't just underscores the fact that these bills are responses to unsubstantiated – and often disproven – hysteria because it's more convenient than admitting that many legislators would prefer that many Kansans not have their votes counted. It is intellectually dishonest to argue in rapid succession that we must eliminate ballot box access while simultaneously making it harder for voters to vote by mail. These are transparent attempts to count fewer votes. I vote NO.—DINAH SYKES

SB 210, AN ACT concerning elections; relating to candidate names on ballots; allowing candidates for nonpartisan offices to have such candidate's political party affiliation provided on the ballot with such candidate's name; amending K.S.A. 25-613 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 16; Nays 24; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Blasi, Claeys, Erickson, Gossage, Kerschen, Kloos, Masterson, Peck, Petersen, Pyle, Steffen, Straub, Thompson, Warren.

Nays: Billinger, Bowers, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Longbine, McGinn, O'Shea, Olson, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Sykes, Tyson, Ware, Wilborn.

A constitutional majority having failed to vote in favor of the bill, **SB 210** did not pass.

EXPLANATION OF VOTE

Introducing partisanship into local elections is directly against the growing resentment in our electorate against current hyperpartisanship in our divided nation. Additionally my community has a large number of federal employees who serve in local positions, often with little to no pay, who add tremendous value and perspective,

that would no longer be able to perform this avenue of public service when we make these elections partisan with the choice of just one candidate placing their party affiliation on the ballot. I vote no on **SB 210**.—JEFF PITTMAN

Senator Pettey requests the record to show she concurs with the "Explanation of Vote" offered by Senator Pittman on **SB 210**.

Local elections should stay nonpartisan. If anybody wants to declare their partisanship, they can always do so on their website, social media, campaign literature or with their party. We need to encourage more and more people to be engaged in governing and policymaking. It's difficult to recruit people to run for office already. Local elections have a very low voter turnout rate from 15% to at best, 20%. This bill would be discouraging people that already have a disinterest or are nauseated by what goes on in politics to run for office.—USHA REDDI

Senators Faust Goudeau, Francisco, McGinn and Pettey request the record to show they concur with the "Explanation of Vote" offered by Senator Reddi on **SB 210**.

SB 217, AN ACT concerning the unlawful use of electronic tracking systems or tracking information; relating to stalking; providing criminal penalties for the conduct of utilizing any electronic tracking system or acquiring tracking information to determine the targeted person's location, movement or travel patterns when done as part of an unlawful course of conduct; authorizing orders to prohibit such conduct under the Kansas family law code, the revised Kansas code for care of children, the protection from abuse act and the protection from stalking, sexual assault or human trafficking act; amending K.S.A. 38-2243, 38-2244 and 38-2255 and K.S.A. 2022 Supp. 21-5427, 23-2224, 23-2707, 60-3107 and 60-31a06 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

SB 219, AN ACT concerning insurance; relating to the healthcare provider insurance availability act; designating certain healthcare providers as being ineligible to purchase professional liability insurance from the healthcare stabilization fund; requiring such healthcare providers to maintain continuous professional liability insurance coverage equivalent to that provided by the healthcare stabilization fund as a condition of licensure; amending K.S.A. 40-3401 and 40-3403a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 26; Nays 12; Present and Passing 2; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Present and Passing: Dietrich, Longbine.

The bill passed.

SB 221, AN ACT concerning elections; relating to write-in candidates; requiring affidavits of write-in candidacy for certain locally elected offices; providing requirements for counting write-in votes on ballots; amending K.S.A. 25-305, 25-2903 and 25-3002 and repealing the existing sections; also repealing K.S.A. 25-305b, was considered on final action.

On roll call, the vote was: Yeas 29; Nays 7; Present and Passing 4; Absent or Not Voting 0.

Yeas: Baumgardner, Billinger, Blasi, Bowers, Claey's, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Gossage, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Petersen, Pettey, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Wilborn.

Nays: Doll, Holland, Olson, Pittman, Shallenburger, Tyson, Warren.

Present and Passing: Alley, Francisco, Haley, Ware.

The bill passed, as amended.

SB 229, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the city of Topeka license plate, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 2; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claey's, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Blasi, Peck.

The bill passed.

SB 233, AN ACT concerning gender identity medical care; creating a civil cause of action against a physician who performs childhood gender reassignment service; requiring revocation of a physician's license if such physician performs childhood gender reassignment service; amending K.S.A. 2022 Supp. 65-2836 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 26; Nays 11; Present and Passing 3; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claey's, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Present and Passing: Dietrich, Haley, McGinn.

The bill passed.

EXPLANATION OF VOTE

I support **SB 233**. The excision of healthy tissue and organs from children (mutilation) will go down in the annals of medicine along side lobotomies (ice pick into the brain) for depression and forced hysterectomies for "hysterical" women.—MARK STEFFEN

Evidence-based standards on gender-affirming care have existed for decades. They require medical professionals to carefully evaluate each patient and make individualized decisions in the patient's best interest, made in conjunction with the patients, their families, and a team of medical professionals. This bill effectively bans the only evidence-based healthcare options available to young Kansans experiencing gender dysphoria. And it would result in the forced medical detransition of young Kansans—some of whom have been safely relying on this medical care for years. Everyone should have the right to access the healthcare they need to survive and thrive without government interference. And we should want medical professionals to provide medically necessary care without fear of revocation of their medical license. Let's stop attacking the transgender community – including their support systems – just because we don't understand them. Let's show these kids that we love them, we support them, and we trust their families, faith leaders, and medical teams to make good, healthy decisions that result in radical self-love.—DINAH SYKES

Senators Francisco and Pettey request the record to show they concur with the "Explanation of Vote" offered by Senator Sykes on **SB 233**.

Today I vote to protect vulnerable children and young people in Kansas from surgical mutilation, chemical experimentation, and abuse at the hands of medical professionals who violate their oath to "do no harm." Just last night, on a national news broadcast, yet another courageous young man told his story of being coached and fast-tracked into taking cross-sex hormones which he now regrets. He was in college and had been fighting depression, and abusing drugs and was confused. He unwittingly went to an activist doctor for help and was told that he was really a woman and was immediately started on estrogen. The doctor did not consider the mood disorders and myriad other issues this young man was dealing with...but instead put this young man on a path to transition. This is the type of situation that **SB 233** will help prevent here in Kansas. We cannot bury our heads in the sand and pretend it is not happening. The future of this state is at risk if we do not protect our progeny. I hope and pray the House will pass this bill and the Governor will have the courage to sign it.—MIKE THOMPSON

Senators Masterson, Peck and Straub request the record to show they concur with the "Explanation of Vote" offered by Senator Thompson on **SB 233**.

COMMITTEE OF THE WHOLE

On motion of Senator Alley, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Claeys in the chair.

SB 24 be passed.

SB 13, SB 205, SB 243 be amended by the adoption of the committee amendments, and the bills be passed as amended.

SB 228 be amended by the adoption of the committee amendments, be further amended by motion of Senator Baumgardner; on page 1, following line 13, by inserting:

"New Section 1. (a) Whenever a person is in the custody of a sheriff and confined in a county jail awaiting examination, evaluation or treatment pursuant to K.S.A. 22-3219, 22-3302, 22-3303, 22-3428, 22-3429 or 22-3430, and amendments thereto, the county that maintains such county jail shall be reimbursed by the secretary for aging

and disability services for the costs related to such custody at the rate of \$100 per day. The county shall be compensated at such rate for each day that a person is in custody and confined as described in this subsection:

(1) If such person is awaiting examination or evaluation, from the date the request for examination or evaluation is made until the date the person is taken from confinement in the county jail for such examination or evaluation or the examination or evaluation is completed at the county jail; and

(2) if such person is awaiting treatment, from the date of return to confinement in the county jail from examination or evaluation or the examination or evaluation is completed at the county jail until the date the person is taken from confinement in the county jail for such treatment or treatment is completed at the county jail.

(b) On and after July 1, 2022, if a county has a claim for reimbursement of costs described in subsection (a), the county shall notify and provide documentation of such costs to the secretary for aging and disability services on a quarterly basis. The secretary for aging and disability services 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 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 county competency expense fund. The secretary for aging and disability services shall transmit a copy of each such certification to the director of legislative research and the director of the budget.

(c) The secretary for aging and disability services shall develop and implement a procedure to provide payments to counties pursuant to subsection (b) on a quarterly basis.

(d) If there are no moneys available in the county competency expense fund to pay any such reimbursements, the county may file a claim against the state pursuant to article 9 of chapter 46 of the Kansas Statutes Annotated, and amendments thereto.

(e) There is hereby established in the state treasury the county competency expense fund that shall be administered by the secretary for aging and disability services. All expenditures from the county competency expense fund shall be for the purpose of reimbursing counties for the costs described in subsection (a). 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 for aging and disability services or the secretary's designee.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, after "concerning" by inserting "counties; requiring the secretary for aging and disability services to reimburse counties for certain costs when a person is confined in a county jail awaiting examination, evaluation or treatment for competency; relating to"

A ruling of the chair was requested as to the germaneness of the amendment. The chair ruled the amendment was germane to the bill.

and **SB 228** be passed as further amended.

A motion by Senator Corson to amend **SB 228** failed.

The committee report on **SB 232** recommending **Sub SB 232** be adopted, and the substitute bill be passed.

SB 112 be passed over and retain a place on the calendar.

On motion of Senator Alley, the Senate recessed until 2:30 p.m.

AFTERNOON - EVENING SESSION

The Senate met pursuant to recess with President Masterson in the chair.

MESSAGE FROM THE HOUSE

Announcing adoption of **HCR 5012**.

HCR 5012, A CONCURRENT RESOLUTION relating to the adjournment of the senate and house of representatives for a period of time during the 2023 regular session of the legislature, was introduced and read by title.

On emergency motion of Senator Alley, **HCR 5012** was adopted by voice vote.

COMMITTEE OF THE WHOLE

The Senate returned to Committee of the Whole for consideration of bills under the heading of General Orders with Senator Claeys in the chair.

On motion of Senator Claeys the report for the morning and the following afternoon session was adopted:

SB 96, SB 169 be passed.

A motion by Senator Holland to amend **SB 169** failed.

SB 83 be amended by motion of Senator Steffen; on page 2, in line 4, after "been" by inserting "adopted,"

SB 83 be further amended by motion of Senator Straub; on page 4, in line 13, by striking "\$500,000" and inserting "\$100,000"

SB 83 be further amended by motion of Senator Steffen; on page 1, in line 27, by striking "250%" and inserting "400%"

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 21; Nays 15; Present and Passing 2; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Blasi, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, O'Shea, Peck, Petersen, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, McGinn, Pettey, Pittman, Reddi, Sykes, Ware.

Present and Passing: Olson, Pyle.

Absent or Not Voting: Billinger, Longbine.

SB 83 be further amended by motion of Senator Sykes; on page 4, in line 7, by striking "100%" and inserting "75%"

and **SB 83** be passed as amended.

A motion by Senator Sykes to amend **SB 83** failed and the following amendment was rejected; on page 3, following line 19, by inserting:

"Sec. 3. K.S.A. 72-4355 is hereby amended to read as follows: 72-4355. On or before the first day of ~~the each~~ legislative session ~~in 2015, and each year thereafter~~, the state board shall prepare and submit a report to the legislature on the program. Annual reports shall include;

(a) Information reported to the state board under ~~subsection (f)~~ of K.S.A. 72-4354(g), and amendments thereto, and a summary of such information;

(b) the number of students who apply to the program;

(c) the number of students who apply who are determined to be eligible students;
and

(d) the number of at-risk students who received a scholarship from a scholarship granting organization.";

On page 4, in line 39, after "72-4353" by inserting ", 72-4355";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after "72-4353" by inserting ", 72-4355"

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 13; Nays 18; Present and Passing 7; Absent or Not Voting 2.

Yeas: Corson, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Petersen, Pettey, Pittman, Reddi, Shallenburger, Sykes, Ware.

Nays: Alley, Blasi, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, O'Shea, Olson, Peck, Ryckman, Steffen, Straub, Thompson, Tyson, Wilborn.

Present and Passing: Baumgardner, Bowers, Dietrich, Doll, Longbine, Pyle, Warren.

Absent or Not Voting: Billinger, McGinn.

EXPLANATION OF VOTE

Post Audit looked at this education scholarship program with a readout to the Ways and Means. This amendment simply gives the type of transparency and evidence of efficacy we as a body should expect from any such program. I vote aye on Senator Sykes amendment on **SB 83**.—JEFF PITTMAN

A motion by Senator Holscher to amend **SB 83** failed.

A motion by Senator Pettey to amend **SB 83** failed.

Three motions by Senator Straub to amend **SB 83** failed.

SB 248 be amended by motion of Senator Petersen; on page 1, in line 30, by striking "17%"; also in line 30, before "of" by inserting "18%";

On page 44, in line 6, by striking all after "of"; by striking all in lines 7 through 13; in line 14, by striking all before the period and inserting "food and food ingredients. The provisions of this subsection shall not apply to prepared food unless sold without eating utensils provided by the seller and described below:

(1) Food sold by a seller whose proper primary NAICS classification is manufacturing in sector 311, except subsector 3118 (bakeries);

(2) (A) food sold in an unheated state by weight or volume as a single item; or

(B) only meat or seafood sold in an unheated state by weight or volume as a single item;

(3) bakery items, including bread, rolls, buns, biscuits, bagels, croissants, pastries, donuts, danish, cakes, tortes, pies, tarts, muffins, bars, cookies and tortillas; or

(4) food sold that ordinarily requires additional cooking, as opposed to just reheating, by the consumer prior to consumption";

Also on page 44, in line 36, by striking "17%" and inserting "18%";

On page 46, in line 20, by striking "17%"; in line 21, before "of" by inserting "18%";

On page 47, in line 12, by striking "17%" and inserting "18%";

On page 1, in the title, in line 2, by striking "healthy" and inserting "certain"; also in line 2, after "food" by inserting "and food ingredients"

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 20; Nays 14; Present and Passing 4; Absent or Not Voting 2.

Yeas: Alley, Blasi, Claeys, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Kerschen, Kloos, Masterson, Olson, Peck, Petersen, Pittman, Pyle, Thompson, Tyson, Warren, Wilborn.

Nays: Bowers, Dietrich, Doll, Francisco, Holland, Holscher, Longbine, McGinn, O'Shea, Pettey, Reddi, Ryckman, Shallenburger, Sykes.

Present and Passing: Baumgardner, Corson, Steffen, Straub.

Absent or Not Voting: Billinger, Ware.

EXPLANATION OF VOTE

I vote Aye on Senator Petersen's amendment to **SB 248** to reduce the food sales tax to absolute zero quickly because food should not be taxed in our state. It is a basic necessity and food sales taxes affect on our most vulnerable. It affects our locals, so in combination, we should also be making our locals whole by returning the LAVTR tax to the counties and municipalities.—JEFF PITTMAN

Senator Haley requests the record to show he concurs with the "Explanation of Vote" offered by Senator Pittman on **SB 248**.

SB 248 be further amended by motion of Senator Fagg; on page 7, in line 43, by striking "and";

On page 8, in line 2, after "Kansas" by inserting ", the Kansas state school for the blind and the Kansas state school for the deaf";

On page 1, in the title, in line 1, by striking "food" and inserting "exemptions"; in line 2, after "food" by inserting "and a sales tax exemption for purchases for the construction or repair of buildings used for human habitation by the Kansas state school for the blind and the Kansas state school for the deaf"

and **SB 248** be passed as amended.

A motion by Senator Holland to amend **SB 248** failed and the following amendment was rejected; on page 1, following line 8, by inserting:

"Section 1. K.S.A. 2022 Supp. 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, ~~2025~~ 2024, 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 $\frac{20}{200}$ 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.

Sec. 2. K.S.A. 2022 Supp. 79-3603 is hereby amended to read as follows: 79-3603. For the privilege of engaging in the business of selling tangible personal property at retail in this state or rendering or furnishing any of the services taxable under this act, there is hereby levied and there shall be collected and paid a tax at the rate of 6.5%. On

and after January 1, 2023, 17% and on and after ~~January 1, 2025~~ July 1, 2023, 18% of the tax rate imposed pursuant to this section and the rate provided in K.S.A. 2022 Supp. 79-3603d, and amendments thereto, shall be levied for the state highway fund, the state highway fund purposes and those purposes specified in K.S.A. 68-416, and amendments thereto, and all revenue collected and received from such tax levy shall be deposited in the state highway fund.

Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax at the rate of 2% until the earlier of the date the bonds issued to finance or refinance the redevelopment project have been paid in full or the final scheduled maturity of the first series of bonds issued to finance any part of the project.

Such tax shall be imposed upon:

(a) The gross receipts received from the sale of tangible personal property at retail within this state;

(b) the gross receipts from intrastate, interstate or international telecommunications services and any ancillary services sourced to this state in accordance with K.S.A. 79-3673, and amendments thereto, except that telecommunications service does not include: (1) Any interstate or international 800 or 900 service; (2) any interstate or international private communications service as defined in K.S.A. 79-3673, and amendments thereto; (3) any value-added nonvoice data service; (4) any telecommunication service to a provider of telecommunication services which will be used to render telecommunications services, including carrier access services; or (5) any service or transaction defined in this section among entities classified as members of an affiliated group as provided by section 1504 of the federal internal revenue code of 1986, as in effect on January 1, 2001;

(c) the gross receipts from the sale or furnishing of gas, water, electricity and heat, which sale is not otherwise exempt from taxation under the provisions of this act, and whether furnished by municipally or privately owned utilities, except that, on and after January 1, 2006, for sales of gas, electricity and heat delivered through mains, lines or pipes to residential premises for noncommercial use by the occupant of such premises, and for agricultural use and also, for such use, all sales of propane gas, the state rate shall be 0%; and for all sales of propane gas, LP gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises, the state rate shall be 0%, but such tax shall not be levied and collected upon the gross receipts from: (1) The sale of a rural water district benefit unit; (2) a water system impact fee, system enhancement fee or similar fee collected by a water supplier as a condition for establishing service; or (3) connection or reconnection fees collected by a water supplier;

(d) the gross receipts from the sale of meals or drinks furnished at any private club, drinking establishment, catered event, restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public;

(e) the gross receipts from the sale of admissions to any place providing amusement, entertainment or recreation services including admissions to state, county, district and local fairs, but such tax shall not be levied and collected upon the gross receipts received from sales of admissions to any cultural and historical event which occurs triennially;

(f) the gross receipts from the operation of any coin-operated device dispensing or

providing tangible personal property, amusement or other services except laundry services, whether automatic or manually operated;

(g) the gross receipts from the service of renting of rooms by hotels, as defined by K.S.A. 36-501, and amendments thereto, or by accommodation brokers, as defined by K.S.A. 12-1692, and amendments thereto, but such tax shall not be levied and collected upon the gross receipts received from sales of such service to the federal government and any agency, officer or employee thereof in association with the performance of official government duties;

(h) the gross receipts from the service of renting or leasing of tangible personal property except such tax shall not apply to the renting or leasing of machinery, equipment or other personal property owned by a city and purchased from the proceeds of industrial revenue bonds issued prior to July 1, 1973, in accordance with the provisions of K.S.A. 12-1740 through 12-1749, and amendments thereto, and any city or lessee renting or leasing such machinery, equipment or other personal property purchased with the proceeds of such bonds who shall have paid a tax under the provisions of this section upon sales made prior to July 1, 1973, shall be entitled to a refund from the sales tax refund fund of all taxes paid thereon;

(i) the gross receipts from the rendering of dry cleaning, pressing, dyeing and laundry services except laundry services rendered through a coin-operated device whether automatic or manually operated;

(j) the gross receipts from the rendering of the services of washing and waxing and waxing of vehicles;

(k) the gross receipts from cable, community antennae and other subscriber radio and television services;

(l) (1) except as otherwise provided by paragraph (2), the gross receipts received from the sales of tangible personal property to all contractors, subcontractors or repairmen for use by them in erecting structures, or building on, or otherwise improving, altering, or repairing real or personal property.

(2) Any such contractor, subcontractor or repairman who maintains an inventory of such property both for sale at retail and for use by them for the purposes described by paragraph (1) shall be deemed a retailer with respect to purchases for and sales from such inventory, except that the gross receipts received from any such sale, other than a sale at retail, shall be equal to the total purchase price paid for such property and the tax imposed thereon shall be paid by the deemed retailer;

(m) the gross receipts received from fees and charges by public and private clubs, drinking establishments, organizations and businesses for participation in sports, games and other recreational activities, but such tax shall not be levied and collected upon the gross receipts received from: (1) Fees and charges by any political subdivision, by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Ninth*, and amendments thereto, or by any youth recreation organization exclusively providing services to persons 18 years of age or younger which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for participation in sports, games and other recreational activities; and (2) entry fees and charges for participation in a special event or tournament sanctioned by a national sporting association to which spectators are charged an admission which is taxable pursuant to subsection (e);

(n) the gross receipts received from dues charged by public and private clubs,

drinking establishments, organizations and businesses, payment of which entitles a member to the use of facilities for recreation or entertainment, but such tax shall not be levied and collected upon the gross receipts received from: (1) Dues charged by any organization exempt from property taxation pursuant to K.S.A. 79-201 *Eighth* and *Ninth*, and amendments thereto; and (2) sales of memberships in a nonprofit organization which is exempt from federal income taxation pursuant to section 501(c) (3) of the federal internal revenue code of 1986, and whose purpose is to support the operation of a nonprofit zoo;

(o) the gross receipts received from the isolated or occasional sale of motor vehicles or trailers but not including: (1) The transfer of motor vehicles or trailers by a person to a corporation or limited liability company solely in exchange for stock securities or membership interest in such corporation or limited liability company; (2) the transfer of motor vehicles or trailers by one corporation or limited liability company to another when all of the assets of such corporation or limited liability company are transferred to such other corporation or limited liability company; or (3) the sale of motor vehicles or trailers which are subject to taxation pursuant to the provisions of K.S.A. 79-5101 et seq., and amendments thereto, by an immediate family member to another immediate family member. For the purposes of paragraph (3), immediate family member means lineal ascendants or descendants, and their spouses. Any amount of sales tax paid pursuant to the Kansas retailers sales tax act on the isolated or occasional sale of motor vehicles or trailers on and after July 1, 2004, which the base for computing the tax was the value pursuant to K.S.A. 79-5105(a), (b)(1) and (b)(2), and amendments thereto, when such amount was higher than the amount of sales tax which would have been paid under the law as it existed on June 30, 2004, shall be refunded to the taxpayer pursuant to the procedure prescribed by this section. Such refund shall be in an amount equal to the difference between the amount of sales tax paid by the taxpayer and the amount of sales tax which would have been paid by the taxpayer under the law as it existed on June 30, 2004. Each claim for a sales tax refund shall be verified and submitted not later than six months from the effective date of this act to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of tax paid as provided by this act. All such refunds shall be paid from the sales tax refund fund, upon warrants of the director of accounts and reports pursuant to vouchers approved by the director of taxation or the director's designee. No refund for an amount less than \$10 shall be paid pursuant to this act. In determining the base for computing the tax on such isolated or occasional sale, the fair market value of any motor vehicle or trailer traded in by the purchaser to the seller may be deducted from the selling price;

(p) the gross receipts received for the service of installing or applying tangible personal property which when installed or applied is not being held for sale in the regular course of business, and whether or not such tangible personal property when installed or applied remains tangible personal property or becomes a part of real estate, except that no tax shall be imposed upon the service of installing or applying tangible personal property in connection with the original construction of a building or facility, the original construction, reconstruction, restoration, remodeling, renovation, repair or replacement of a residence or the construction, reconstruction, restoration, replacement or repair of a bridge or highway.

For the purposes of this subsection:

(1) "Original construction" means the first or initial construction of a new building or facility. The term "original construction" shall include the addition of an entire room or floor to any existing building or facility, the completion of any unfinished portion of any existing building or facility and the restoration, reconstruction or replacement of a building, facility or utility structure damaged or destroyed by fire, flood, tornado, lightning, explosion, windstorm, ice loading and attendant winds, terrorism or earthquake, but such term, except with regard to a residence, shall not include replacement, remodeling, restoration, renovation or reconstruction under any other circumstances;

(2) "building" means only those enclosures within which individuals customarily are employed, or which are customarily used to house machinery, equipment or other property, and including the land improvements immediately surrounding such building;

(3) "facility" means a mill, plant, refinery, oil or gas well, water well, feedlot or any conveyance, transmission or distribution line of any cooperative, nonprofit, membership corporation organized under or subject to the provisions of K.S.A. 17-4601 et seq., and amendments thereto, or municipal or quasi-municipal corporation, including the land improvements immediately surrounding such facility;

(4) "residence" means only those enclosures within which individuals customarily live;

(5) "utility structure" means transmission and distribution lines owned by an independent transmission company or cooperative, the Kansas electric transmission authority or natural gas or electric public utility; and

(6) "windstorm" means straight line winds of at least 80 miles per hour as determined by a recognized meteorological reporting agency or organization;

(q) the gross receipts received for the service of repairing, servicing, altering or maintaining tangible personal property which when such services are rendered is not being held for sale in the regular course of business, and whether or not any tangible personal property is transferred in connection therewith. The tax imposed by this subsection shall be applicable to the services of repairing, servicing, altering or maintaining an item of tangible personal property which has been and is fastened to, connected with or built into real property;

(r) the gross receipts from fees or charges made under service or maintenance agreement contracts for services, charges for the providing of which are taxable under the provisions of subsection (p) or (q);

(s) on and after January 1, 2005, the gross receipts received from the sale of prewritten computer software and the sale of the services of modifying, altering, updating or maintaining prewritten computer software, whether the prewritten computer software is installed or delivered electronically by tangible storage media physically transferred to the purchaser or by load and leave;

(t) the gross receipts received for telephone answering services;

(u) the gross receipts received from the sale of prepaid calling service and prepaid wireless calling service as defined in K.S.A. 79-3673, and amendments thereto;

(v) all sales of bingo cards, bingo faces and instant bingo tickets by licensees under K.S.A. 75-5171 et seq., and amendments thereto, shall be exempt from taxes imposed pursuant to this section;

(w) all sales of charitable raffle tickets in accordance with K.S.A. 75-5171 et seq.,

and amendments thereto, shall be exempt from taxes imposed pursuant to this section; and

(x) commencing on January 1, 2023, and thereafter, the state rate on the gross receipts from the sale of food and food ingredients shall be as set forth in K.S.A. 2022 Supp. 79-3603d, and amendments thereto.

Sec. 3. K.S.A. 2022 Supp. 79-3603d is hereby amended to read as follows: 79-3603d. (a) There is hereby levied and there shall be collected and paid a tax upon the gross receipts from the sale of food and food ingredients. The rate of tax shall be as follows:

(1) Commencing on January 1, 2023, at the rate of 4%; ~~and~~

(2) ~~commencing on January 1, 2024, at the rate of 2%; and~~

(3) commencing on ~~January 1, 2025~~ July 1, 2023, and thereafter, at the rate of 0%.

(b) The provisions of this section shall not apply to prepared food unless sold without eating utensils provided by the seller and described below:

(1) Food sold by a seller whose proper primary NAICS classification is manufacturing in sector 311, except subsector 3118 (bakeries);

(2) (A) food sold in an unheated state by weight or volume as a single item; or

(B) only meat or seafood sold in an unheated state by weight or volume as a single item;

(3) bakery items, including bread, rolls, buns, biscuits, bagels, croissants, pastries, donuts, danish, cakes, tortes, pies, tarts, muffins, bars, cookies and tortillas; or

(4) food sold that ordinarily requires additional cooking, as opposed to just reheating, by the consumer prior to consumption.

(c) The provisions of this section shall be a part of and supplemental to the Kansas retailers' sales tax act.

Sec. 4. K.S.A. 2022 Supp. 79-3620 is hereby amended to read as follows: 79-3620.

(a) All revenue collected or received by the director of taxation from the taxes imposed by this act 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, less amounts withheld as provided in subsection (b) and amounts credited as provided in subsections (c), (d) and (e), to the credit of the state general fund.

(b) A refund fund, designated as "sales tax refund fund" not to exceed \$100,000 shall be set apart and maintained by the director from sales tax collections and estimated tax collections and held by the state treasurer for prompt payment of all sales tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act. In the event such fund as established by this section is, at any time, insufficient to provide for the payment of refunds due claimants thereof, the director shall certify the amount of additional funds required to the director of accounts and reports who shall promptly transfer the required amount from the state general fund to the sales tax refund fund, and notify the state treasurer, who shall make proper entry in the records.

(c) (1) On January 1, 2023, the state treasurer shall credit 17% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rates provided in K.S.A. 79-3603, and amendments thereto, and K.S.A. 2022 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state

highway fund.

(2) On ~~January 1, 2025~~ July 1, 2023, and thereafter, the state treasurer shall credit 18% of the revenue collected and received from the tax imposed by K.S.A. 79-3603, and amendments thereto, at the rates provided in K.S.A. 79-3603, and amendments thereto, and K.S.A. 2022 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3603, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a STAR bond project district occupied by a STAR bond project or taxpayers doing business with such entity financed by a STAR bond project as defined in K.S.A. 12-17,162, and amendments thereto, that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state or the project was designated as a STAR bond project as defined in K.S.A. 12-17,162, and amendments thereto, to the city bond finance fund, which fund is hereby created. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under K.S.A. 79-3710(d), and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such STAR bond project.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by K.S.A. 79-3603(c), and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to K.S.A. 79-3710(e), and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by K.S.A. 12-1770a(oo), and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191st Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.

Sec. 5. K.S.A. 2022 Supp. 79-3703 is hereby amended to read as follows: 79-3703.

(a) There is hereby levied and there shall be collected from every person in this state a

tax or excise for the privilege of using, storing, or consuming within this state any article of tangible personal property. Such tax shall be levied and collected in an amount equal to the consideration paid by the taxpayer multiplied by the rate of 6.5%.

(b) Commencing on January 1, 2023, and thereafter, the state rate on the amount equal to the consideration paid by the taxpayer from the sale of food and food ingredients as provided in K.S.A. 79-3603, and amendments thereto, shall be as set forth in K.S.A. 2022 Supp. 79-3603d, and amendments thereto.

(c) On and after January 1, 2023, 17% and on and after ~~January 1, 2025~~ July 1, 2023, 18% of the tax rate imposed pursuant to this section and the rate provided in K.S.A. 2022 Supp. 79-3603d, and amendments thereto, shall be levied for the state highway fund, the state highway fund purposes and those purposes specified in K.S.A. 68-416, and amendments thereto, and all revenue collected and received from such tax levy shall be deposited in the state highway fund.

(d) Within a redevelopment district established pursuant to K.S.A. 74-8921, and amendments thereto, there is hereby levied and there shall be collected and paid an additional tax of 2% until the earlier of: (1) The date the bonds issued to finance or refinance the redevelopment project undertaken in the district have been paid in full; or (2) the final scheduled maturity of the first series of bonds issued to finance the redevelopment project.

(e) All property purchased or leased within or without this state and subsequently used, stored or consumed in this state shall be subject to the compensating tax if the same property or transaction would have been subject to the Kansas retailers' sales tax had the transaction been wholly within this state.

Sec. 6. K.S.A. 2022 Supp. 79-3710 is hereby amended to read as follows: 79-3710.

(a) All revenue collected or received by the director under the provisions of this act 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, less amounts set apart as provided in subsection (b) and amounts credited as provided in subsection (c), (d) and (e), to the credit of the state general fund.

(b) A revolving fund, designated as "compensating tax refund fund" not to exceed \$10,000 shall be set apart and maintained by the director from compensating tax collections and estimated tax collections and held by the state treasurer for prompt payment of all compensating tax refunds. Such fund shall be in such amount, within the limit set by this section, as the director shall determine is necessary to meet current refunding requirements under this act.

(c) (1) On January 1, 2023, the state treasurer shall credit 17% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rates provided in K.S.A. 79-3703, and amendments thereto, and K.S.A. 2022 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in the state highway fund.

(2) On ~~January 1, 2025~~ July 1, 2023, and thereafter, the state treasurer shall credit 18% of the revenue collected and received from the tax imposed by K.S.A. 79-3703, and amendments thereto, at the rates provided in K.S.A. 79-3703, and amendments thereto, and K.S.A. 2022 Supp. 79-3603d, and amendments thereto, and deposited as provided by subsection (a), exclusive of amounts credited pursuant to subsection (d), in

the state highway fund.

(d) The state treasurer shall credit all revenue collected or received from the tax imposed by K.S.A. 79-3703, and amendments thereto, as certified by the director, from taxpayers doing business within that portion of a redevelopment district occupied by a redevelopment project that was determined by the secretary of commerce to be of statewide as well as local importance or will create a major tourism area for the state as defined in K.S.A. 12-1770a, and amendments thereto, to the city bond finance fund created by K.S.A. 79-3620(d), and amendments thereto. The provisions of this subsection shall expire when the total of all amounts credited hereunder and under K.S.A. 79-3620(d), and amendments thereto, is sufficient to retire the special obligation bonds issued for the purpose of financing all or a portion of the costs of such redevelopment project.

This subsection shall not apply to a project designated as a special bond project as defined in K.S.A. 12-1770a(z), and amendments thereto.

(e) All revenue certified by the director of taxation as having been collected or received from the tax imposed by K.S.A. 79-3603(c), and amendments thereto, on the sale or furnishing of gas, water, electricity and heat for use or consumption within the intermodal facility district described in this subsection, shall be credited by the state treasurer to the state highway fund. Such revenue may be transferred by the secretary of transportation to the rail service improvement fund pursuant to law. The provisions of this subsection shall take effect upon certification by the secretary of transportation that a notice to proceed has been received for the construction of the improvements within the intermodal facility district, but not later than December 31, 2010, and shall expire when the secretary of revenue determines that the total of all amounts credited hereunder and pursuant to K.S.A. 79-3620(e), and amendments thereto, is equal to \$53,300,000, but not later than December 31, 2045. Thereafter, all revenues shall be collected and distributed in accordance with applicable law. For all tax reporting periods during which the provisions of this subsection are in effect, none of the exemptions contained in K.S.A. 79-3601 et seq., and amendments thereto, shall apply to the sale or furnishing of any gas, water, electricity and heat for use or consumption within the intermodal facility district. As used in this subsection, "intermodal facility district" shall consist of an intermodal transportation area as defined by K.S.A. 12-1770a(oo), and amendments thereto, located in Johnson county within the polygonal-shaped area having Waverly Road as the eastern boundary, 191st Street as the southern boundary, Four Corners Road as the western boundary, and Highway 56 as the northern boundary, and the polygonal-shaped area having Poplar Road as the eastern boundary, 183rd Street as the southern boundary, Waverly Road as the western boundary, and the BNSF mainline track as the northern boundary, that includes capital investment in an amount exceeding \$150 million for the construction of an intermodal facility to handle the transfer, storage and distribution of freight through railway and trucking operations.";

Also on page 1, by striking all in lines 9 through 36;

By striking all on pages 2 through 47;

On page 48, by striking all in lines 1 through 26; in line 27, by striking "K.S.A. 12-189a and"; also in line 27, after "Supp." by inserting "79-32,271,"; in line 28, by striking "79-3606,"; in line 30, by striking all before "its";

On page 1, in the title, by striking all in lines 2 through 5; in line 6, by striking all before the period and inserting "accelerating the reduction of the state tax rate on sales

of food and food ingredients; discontinuing the food sales tax credit; amending K.S.A. 2022 Supp. 79-32,271, 79-3603, 79-3603d, 79-3620, 79-3703 and 79-3710 and repealing the existing sections"

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 10; Nays 26; Present and Passing 0; Absent or Not Voting 4.

Yeas: Corson, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes.

Nays: Alley, Baumgardner, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: Billinger, McGinn, Pyle, Ware.

A motion by Senator Sykes to amend **SB 248** failed and the following amendment was rejected; on page 44, in line 5, by striking the second "and"; in line 14, after "food" by inserting ";

(qqqq) all sales of children's diapers. As used in this subsection:

(1) "Children's diapers" means diapers marketed to be worn by children; and

(2) "diaper" means an absorbent garment worn by humans who are incapable of, or have difficulty, controlling their bladder or bowel movements; and

(rrrr) all sales of feminine hygiene products. For purposes of this subsection, "feminine hygiene products" means tampons, panty liners, menstrual cups, sanitary napkins and other similar tangible personal property designed for feminine hygiene in connection with the human menstrual cycle";

On page 1, in the title, in line 1, by striking "food" and inserting "exemptions"; in line 2, after the semicolon by inserting "providing a sales tax exemption for children's diapers and feminine hygiene products;"

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 16; Nays 20; Present and Passing 2; Absent or Not Voting 2.

Yeas: Corson, Faust-Goudeau, Francisco, Haley, Holland, Holscher, O'Shea, Olson, Petersen, Pettey, Pittman, Reddi, Shallenburger, Sykes, Ware, Wilborn.

Nays: Alley, Baumgardner, Blasi, Bowers, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, Peck, Ryckman, Steffen, Straub, Thompson, Tyson, Warren.

Present and Passing: Claeys, Pyle.

Absent or Not Voting: Billinger, McGinn.

A motion by Senator Holland to amend **SB 248** failed.

SB 8, SB 37, SB 98, be amended by the adoption of the committee amendments, and the bills be passed as amended.

SB 33 be amended by the adoption of the committee amendments, be further amended by motion of Senator Thompson; on page 10, following line 19, by inserting:

"(xxix) For all taxable years beginning after December 31, 2023, amounts received by retired individuals under all retirement plans to the extent included in federal adjusted gross income.";

On page 1, in the title, in line 3, after the semicolon by inserting "providing a subtraction modification for amounts received from retirement plans;"

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 35; Nays 2; Present and Passing 1; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Blasi, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Gossage, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Warren, Wilborn.

Nays: Doll, Francisco.

Present and Passing: Haley.

Absent or Not Voting: Billinger, Ware.

SB 33 be further amended by motion of Senator Tyson; on page 10, following line 32, by inserting:

"Sec. 2. K.S.A. 2022 Supp. 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.

(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 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) (A) 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.

(B) In the case of tax year 2023, and all tax years thereafter, the amounts prescribed in this paragraph shall be increased by an amount equal to such 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) For purposes of 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.";

Also on page 10, in line 33, by striking "is" and inserting "and 79-32,119 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "relating to deductions; increasing the Kansas standard deduction by a cost-of-living adjustment;"; in line 4, after "79-32,117" by inserting "and 79-32,119"; also in line 4, by striking "section" and inserting "sections"

SB 33 be further amended by motion of Senator Holland; on page 10, following line 32, by inserting:

"Sec. 2. K.S.A. 2022 Supp. 79-4508a is hereby amended to read as follows: 79-4508a. (a) For tax year 2022, and all tax years thereafter, the amount of any claim pursuant to this section shall be computed by deducting the claimant's base year ad valorem tax amount for the homestead from the claimant's homestead ad valorem tax amount for the tax year for which the refund is sought.

(b) As used in this section:

(1) "Base year" means the year in which an individual becomes an eligible claimant and who is also eligible for a claim for refund pursuant to this section. For any individual who would otherwise be an eligible claimant prior to 2021, such base year shall be deemed to be 2021 for the purposes of this act.

(2) "Claimant" means a person who has filed a claim under the provisions of this act and was, during the entire calendar year preceding the year in which such claim was filed for refund under this act, except as provided in K.S.A. 79-4503, and amendments thereto, both domiciled in this state and was: (A) A person who is 65 years of age or older; or (B) a disabled veteran. The surviving spouse of a person 65 years of age or older or a disabled veteran who was receiving benefits pursuant to this section at the time of the claimant's death shall be eligible to continue to receive benefits until such time the surviving spouse remarries.

(3) "Household income" means all income as defined in K.S.A. 79-4502(a), and amendments thereto, excluding all payments received under the federal social security act received by persons of a household in a calendar year while members of such household.

(c) A claimant shall only be eligible for a claim for refund under this section if:

(1) The claimant's household income for the year in which the claim is filed is \$50,000 or less; and

(2) the appraised value of the claimant's homestead for the base year is ~~\$350,000~~ \$595,000 or less.

The provisions of K.S.A. 79-4522, and amendments thereto, shall not apply to a claim pursuant to this section. In the case of all tax years commencing after December 31, 2022, the upper limit household income threshold amount prescribed in this subsection shall be increased by an amount equal to such 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. In the case of all base years commencing after December 31, 2021, the upper limit appraised value threshold amount prescribed in this subsection shall be increased each year to reflect the average percentage change in statewide residential valuation of existing residential real property for the preceding 10 years.

(d) A taxpayer shall not be eligible for a homestead property tax refund claim pursuant to this section if such taxpayer has received for such property for such tax year either: (1) A homestead property tax refund pursuant to K.S.A. 79-4508, and amendments thereto; or (2) the selective assistance for effective senior relief (SAFESR) credit pursuant to K.S.A. 79-32,263, and amendments thereto.

(e) The amount of any claim shall be computed to the nearest \$1.

(f) The household income and appraised value amendments made to this section by this act shall apply retroactively, and the deadline to file claims for tax year 2022 shall be extended to on or before April 15, 2024.

(g) The provisions of this section shall be a part of and supplemental to the

homestead property tax refund act.";

Also on page 10, in line 33, by striking "is" and inserting "and 79-4508a are";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "relating to homestead property tax refund claims; excluding social security payments from household income for eligibility of seniors and disabled veterans related to increased property tax claims; increasing the appraised value threshold for eligibility;"; in line 4, after "79-32,117" by inserting "and 79-4508a"; also in line 4, by striking "section" and inserting "sections"

SB 33 be further amended by motion of Senator Tyson; on page 10, following line 19, by inserting:

"(xxix) For taxable years beginning after December 31, 2017, for an individual taxpayer who carried back federal net operating losses arising in a taxable year beginning after December 31, 2017, and before January 1, 2021, pursuant to section 172(b)(1) of the federal internal revenue code as amended by the coronavirus aid, relief, and economic security act (CARES act), the amount of such federal net operating loss carryback for each applicable year. If the amount of such federal net operating loss carryback exceeds the taxpayer's Kansas adjusted gross income for such taxable year, the amount thereof that exceeds such Kansas adjusted gross income may be carried forward as a subtraction modification in the following taxable year or years until the total amount of such federal net operating loss carryback has been deducted, except that no such unused amount shall be carried forward for deduction as a subtraction modification after the 20th taxable year following the taxable year of the net operating loss. Notwithstanding any other provision of law to the contrary, an extension of time shall be allowed for a claim for refund or amended return for tax years 2018, 2019 or 2020 limited to the application of the provisions of this paragraph and such claim for refund or amended return must be filed on or before April 15, 2025.";

On page 1, in the title, in line 3, after the semicolon by inserting "providing a subtraction modification to permit the carry forward of certain net operating losses for individuals;"

SB 33 be further amended by motion of Senator Tyson; on page 6, in line 41, after the second "credit" by inserting ", work opportunity tax credit and similar"; in line 42, after "280C." by inserting "For taxable years beginning after December 31, 2019, the provisions of this paragraph shall also apply to the employee retention credit disallowance. The subtraction modifications provided by this paragraph for the work opportunity tax credit and the employee retention credit disallowances shall be limited to 25% of the amount of such disallowances.";

On page 1, in the title, in line 3, after the semicolon by inserting "providing a subtraction modification for the federal work opportunity tax credit and the employee retention credit disallowances;"

and **SB 33** be passed as further amended.

A motion by Senator Francisco to amend **SB 33** failed and the following amendment was rejected; on page 8, in line 21, by striking "(1)" and inserting "(A)"; in line 22, by striking all before "amounts"; in line 26, by striking all after "jointly"; by striking all in lines 27 and 28; in line 29, by striking all before the period; following line 29, by inserting:

"(B) For all taxable years beginning after December 31, 2022, a portion of amounts

received as benefits under the federal social security act that are included in federal adjusted gross income of a taxpayer with federal adjusted gross income greater than \$75,000 and less than \$100,000, whether that taxpayer's filing status is single, head of household, married filing separate or married filing jointly, calculated as follows:

(1) Subtract an amount equal to the federal adjusted gross income of that taxpayer from 100,000 (the result must be greater than zero);

(2) divide the result of subparagraph (B)(1) by 25,000; and

(3) multiply the result of subparagraph (B)(2) by the amount in dollars received as benefits under the federal social security act that are included in federal adjusted gross income of that taxpayer to determine the modification pursuant to this subparagraph.";

On page 10, by striking all in lines 29 through 32;

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 income limit to qualify for a subtraction modification for social security"

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 12; Nays 26; Present and Passing 0; Absent or Not Voting 2.

Yeas: Corson, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Pyle, Reddi, Sykes, Ware.

Nays: Alley, Baumgardner, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: Billinger, McGinn.

EXPLANATION OF VOTE

Currently Kansas taxes Social Security benefits only if the federal adjusted income of a taxpayer is greater than \$75,000. **Senate Bill 33** would eliminate Kansas income tax on all Social Security benefits. Although that may sound good, I am concerned because this elimination would benefit only Kansas taxpayers with incomes greater than \$75,000 and, because Social Security benefits are based on the highest 35 years of earnings, this change would also give higher benefits to higher earners. In addition, because women receive Social Security benefits that are, on average, 80% of those men receive, this change would benefit men more than women. I vote "AYE" on this amendment to Senate Bill 33 that would eliminate the current Kansas Social Security "tax cliff" of \$75,000 federal adjusted gross income by giving a decreasing tax benefit up to a total federal adjusted income of \$100,000 and keep our Kansas income tax more, not less, progressive.—MARCI FRANCISCO

SB 91 be amended by the adoption of the committee amendments, be further amended by motion of Senator Baumgardner; on page 1, in line 12, by striking "6" and inserting "8";

On page 18, following line 30, by inserting:

"New Sec. 7. (a) The secretary of commerce is hereby authorized and empowered to award grants for educational purposes or programs to develop and support the Kansas film and digital media industry. The purpose of such grants is to develop, expand and improve Kansas educational programs directly relevant to development and support of the film and digital media industry in this state. The secretary is authorized to award

such grants to not-for-profit postsecondary educational institutions with a main campus or principal operations in Kansas, including public or private four-year universities or colleges, community colleges or technical colleges established under the laws of this state or the Washburn institute of technology. In awarding such grants, the secretary shall select such institutions that are engaged in or that seek to engage in educational programs or activities related to film, media, digital technology, gaming or other evolving areas of the film and digital media industry in Kansas. The secretary shall not award grants pursuant to this section on or after January 1, 2033.

(b) (1) There is hereby established in the state treasury the Kansas film and digital media production development act education fund to be administered by the secretary of commerce. All moneys credited to such fund shall be used to provide grants for the expansion of film and digital media production-related education in the state of Kansas and the administration of such fund. All expenditures from such fund shall be made in accordance with the provisions of appropriation acts and upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of commerce or the secretary's designee.

(2) The secretary shall remit any moneys received pursuant to any penalties or any repayment obligations imposed by the secretary pursuant to 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 Kansas film and digital media production development act education fund.

(c) (1) Grants made by the secretary of commerce from the Kansas film and digital media production development act education fund shall be used for educational purposes, including, but not limited to:

- (A) Internships and apprenticeship programs;
- (B) scholarships;
- (C) curriculum development and staffing; or
- (D) resources such as lab facilities or equipment.

(2) Such grants shall be awarded upon such terms and conditions as the secretary of commerce may deem appropriate. Such terms and conditions shall:

(A) Require that scholarship programs that receive grant funding require student scholarship recipients to agree to reside in Kansas and work primarily in Kansas or with a Kansas-based company, when possible, for at least two years following completion of an educational program;

(B) include specified objectives and milestones as agreed by the Kansas educational institution grant recipient and the secretary, including, but not limited to, graduate job placement goals; and

(C) require the Kansas educational institution to provide information as requested by the secretary for purposes of administering the grant program, monitoring the use of funds and the achievement of milestones and objectives and preparation of the report required by subsection (e).

(d) (1) Subject to appropriation acts, on July 1, 2023, and each July 1 thereafter through July 1, 2032, the director of accounts and reports shall transfer \$1,000,000 from the state general fund to the Kansas film and digital media production development act education fund. Any unexpended balance in such fund at the close of a fiscal year shall remain credited to the fund for use in the succeeding fiscal year.

(2) On January 1, 2033, the director of accounts and reports shall transfer all unencumbered moneys in the Kansas film and digital media production development act education fund to the state general fund. After such transfer and the disbursement of any encumbered funds pursuant to grant awards made prior to January 1, 2033, the Kansas film and digital media production development act education fund shall be abolished. Upon abolishment of such fund, all liabilities of the Kansas film and digital media production development act education fund shall be transferred to and imposed on the state general fund.

(c) On or before January 31, 2024, and each January 31 through January 31, 2033, the secretary of commerce shall submit an annual report to the house of representatives standing committee on commerce, labor and economic development and the senate standing committee on commerce on the administration of the Kansas film and digital media production development act education fund and all grants awarded from the fund. Such report shall contain specific and aggregate information regarding all expenditures from the fund, the Kansas educational institutions receiving grants, the amount of funds expended for each grant, the reason and purpose for which each grant was approved, including how it was intended to further the purposes of the fund, the actual use of such grant funds by the Kansas educational institution and the accomplishment or progress made by the educational institution toward agreed milestones and objectives.

New Sec. 8. (a) The secretary of commerce is hereby authorized and empowered to award grants or loans from the Kansas film and digital media production development act workforce training and business direct investment fund in connection with projects certified by the secretary pursuant to section 3, and amendments thereto. The secretary shall award such grants or loans for the purpose of facilitating and supporting certified projects and developing the Kansas film and digital media industry by funding workforce training and by investing directly in Kansas companies engaged in or seeking to engage in certified projects. The secretary shall not award grants or loans pursuant to this section on or after January 1, 2033.

(b) (1) There is hereby established in the state treasury the Kansas film and digital media production development act workforce training and business direct investment fund to be administered by the secretary of commerce. All moneys credited to such fund shall be used to provide grants or loans as provided by this section for the support of workforce training and direct investment in Kansas companies in relation to certified film or digital media production projects, the development of the Kansas film and digital media industry and the administration of such fund. All expenditures from such fund shall be made in accordance with the provisions of appropriation acts and upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of commerce or the secretary's designee.

(2) The secretary of commerce shall remit any moneys received pursuant to loan repayments, interest, any penalties or any other repayment obligations imposed by the secretary pursuant to 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 Kansas film and digital media production development act workforce training and business direct investment fund.

(c) (1) Grants made by the secretary of commerce from the Kansas film and digital media production development act workforce training and business direct investment

fund shall be used for workforce development purposes, including, but not limited to:

(A) Apprenticeship programs for Kansas residents;

(B) crew training for Kansas residents, including:

(i) Training provided by not-for-profit postsecondary educational institutions with a main campus or principal operations in Kansas selected by the secretary, including four-year public or private educational institutions, public community colleges or public technical schools established under the laws of this state or the Washburn institute of technology; or

(ii) employee training provided by any production company or a Kansas company involved in the film and digital media industry and engaged in a certified project; or

(C) development of training models, in coordination and cooperation with the film and digital media production industry, for use by Kansas educational institutions.

(2) Such grants shall be upon such terms and conditions as the secretary of commerce may deem appropriate. Such terms and conditions shall include an agreement by the grant recipient to provide information as requested by the secretary for purposes of administering the grant program, monitoring the use of funds and preparation of the report required by subsection (f).

(d) (1) Direct investments made by the secretary of commerce from the Kansas film and digital media production development act workforce training and business direct investment fund shall be used for investing in Kansas film and digital media production industry companies that will or seek to be engaged in certified projects, including Kansas-based production companies or Kansas businesses that are offering personnel, services, facilities, leases or rentals or that are offering, engaged in or seeking to engage in other production or postproduction-related business activities. Investments may be made in Kansas start-ups, Kansas businesses seeking to expand into the film and digital media production industry or established Kansas businesses in such industry.

(2) Direct investments shall be comprised of a loan component in the amount of 80% and a grant component in the amount of 20% of the total award of funds to the recipient. The investment shall be made upon such terms and conditions as the secretary of commerce may deem appropriate. Such terms and conditions shall:

(A) Include specified objectives and milestones as required by the secretary and provisions for repayment of the grant or loan if conditions specified by the secretary are not met; and

(B) require the recipient to provide information as requested by the secretary for purposes of administering the direct investment program, monitoring the use of funds and achievement of milestones and objectives and preparation of the report required by subsection (f).

(e) (1) Subject to appropriation acts, on July 1, 2024, and each July 1 thereafter through July 1, 2032, the director of accounts and reports shall transfer \$1,000,000 from the state general fund to the Kansas film and digital media production development act workforce training and business direct investment fund. Any unexpended balance in such fund at the close of a fiscal year shall remain credited to the fund for use in the succeeding fiscal year.

(2) On January 1, 2033, the director of accounts and reports shall transfer all unencumbered moneys in the Kansas film and digital media production development act workforce training and business direct investment fund to the state general fund.

After such transfer and the disbursement of any encumbered funds pursuant to awards made prior to January 1, 2033, the Kansas film and digital media production development act workforce training and business direct investment fund shall be abolished. Upon abolishment of such fund, all liabilities of the Kansas film and digital media production development act workforce training and business direct investment fund shall be transferred to and imposed on the state general fund.

(f) On or before January 31, 2024, and each January 31 thereafter through January 31, 2033, the secretary of commerce shall submit an annual report to the house of representatives standing committee on commerce, labor and economic development and the senate standing committee on commerce on the administration of the Kansas film and digital media production development act workforce training and business direct investment fund and all grants or loans awarded from the fund. Such report shall contain specific and aggregate information regarding all expenditures from the fund, the businesses or Kansas postsecondary educational institutions receiving funds, the amount of funds expended for each grant or loan, the reason and purpose for which each grant or loan was approved, including how it was intended to further the purposes of the Kansas film and digital media production development act project workforce training and business direct investment fund, the actual use of the grant or loan funds by the recipient and the accomplishment of or progress made toward agreed milestones and objectives.";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, by striking "and" and inserting a comma; also in line 3, before "program" by inserting "and loan and grant program"; in line 8, before "amending" by inserting "establishing the Kansas film and digital media production development act education fund and the Kansas film and digital media production development act workforce training and business direct investment fund;"

and **SB 91** be passed as further amended.

The committee report on **SB 131** recommending **Sub SB 131** be adopted, and the substitute bill be passed.

SB 63, SB 82, be passed over and retain a place on the calendar.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Alley an emergency was declared by a 2/3 constitutional majority, and **SB 8, SB 13, SB 24, SB 33, SB 37, SB 83, SB 91, SB 96, SB 98, SB 131, SB 169, SB 205, SB 228, SB 232, SB 243, SB 248** were advanced to Final Action and roll call.

SB 8, AN ACT concerning property taxation; relating to personal property; reducing penalties for the late filing of or the failure to file statements listing property for assessment and the discovery of escaped property; reporting changes after initial statement; amending K.S.A. 79-306, 79-332a, 79-1422 and 79-1427a and repealing the existing sections.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware,

Warren, Wilborn.

Absent or Not Voting: Billinger.

The bill passed, as amended.

SB 13, AN ACT concerning schools; relating to the state high school activities association; contracts for exclusive broadcast coverage of postseason activities; permitting certain local broadcasters to cover a school's postseason activities notwithstanding such exclusive contracts.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Billinger.

The bill passed, as amended.

SB 24, AN ACT concerning insurance; relating to coverage for autism spectrum disorder; changing the required number of employees contained in the definitions of "large employer" and "small employer"; amending K.S.A. 40-2,194 and repealing the existing section.

On roll call, the vote was: Yeas 38; Nays 1; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Tyson.

Absent or Not Voting: Billinger.

The bill passed.

SB 33, AN ACT concerning income taxation; relating to Kansas adjusted gross income; eliminating the income limitation to receive the subtraction modification exempting social security benefits; providing a subtraction modification for amounts received from retirement plans; relating to deductions; increasing the Kansas standard deduction by a cost-of-living adjustment; relating to homestead property tax refund claims; excluding social security payments from household income for eligibility of seniors and disabled veterans related to increased property tax claims; increasing the appraised value threshold for eligibility; providing a subtraction modification to permit the carry forward of certain net operating losses for individuals; providing a subtraction modification for the federal work opportunity tax credit and the employee retention credit disallowances; amending K.S.A. 2022 Supp. 79-32,117, 79-32,119 and 79-4508a and repealing the existing sections.

On roll call, the vote was: Yeas 36; Nays 3; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi,

Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Warren, Wilborn.

Nays: Francisco, Haley, Ware.

Absent or Not Voting: Billinger.

The bill passed, as amended.

EXPLANATION OF VOTE

In politics nothing moves unless it is pushed. The push to remove social security income from Kansas State income tax has been a lot of work since January 26, 2019, when I offered the amendment on **SB 22** during floor debate. So glad others have come to see the necessity of this and the benefit to Kansans!—DENNIS PYLE

SB 37, AN ACT concerning taxation; relating to the Kansas housing investor tax credit act; expanding the transferability of income, privilege and premium tax credits issued under the act; amending K.S.A. 2022 Supp. 79-32,313 and repealing the existing section.

On roll call, the vote was: Yeas 35; Nays 4; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Sykes, Tyson, Ware, Warren, Wilborn.

Nays: Peck, Steffen, Straub, Thompson.

Absent or Not Voting: Billinger.

The bill passed, as amended.

SB 83, AN ACT concerning education; relating to the tax credit for low income students scholarship program; providing for additional student eligibility; increasing the tax credit for contributions made pursuant to such program; amending K.S.A. 72-4353 and 72-4357 and K.S.A. 2022 Supp. 72-4352 and repealing the existing sections.

On roll call, the vote was: Yeas 22; Nays 16; Present and Passing 1; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Blasi, Bowers, Claeys, Erickson, Fagg, Gossage, Kloos, Masterson, O'Shea, Olson, Peck, Petersen, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Kerschen, Longbine, McGinn, Pettey, Pittman, Reddi, Sykes, Ware.

Present and Passing: Pyle.

Absent or Not Voting: Billinger.

The bill passed, as amended.

EXPLANATION OF VOTE

During the 2021 legislative session, this chamber expanded the Tax Credit for Low Income Students Scholarship Program for the first time. When we debated that bill, I warned my colleagues: “The hits just keep on coming for Kansas families. So far, this body has stripped women of their constitutional rights, played political games with the vaccine, blown a \$1 billion hole in the budget, and now we are attacking public schools and expanding vouchers. Kansas families are asking: what’s next? This bill expands this scholarship program beyond its original intent of providing assistance to at-risk, low-

income Kansas students. We will be here next year, the year after, and the year after that, attempting to amend this program and expand its scope until it has become a full-blown voucher program and we have destroyed our public schools.” Here we are again: just last night, politicizing public health. Here we are again: passing multiple, large tax bills that will blow up our budget, this time to the tune of \$1.8 billion. Here we are again: amending this program, expanding its scope, and making it a full-blown voucher program, and leaving our public schools behind. I vote NO.—DINAH SYKES

Senator Pettey requests the record to show she concurs with the "Explanation of Vote" offered by Senator Sykes on **SB 83**.

SB 91, AN ACT concerning economic development; enacting the Kansas film and digital media production development act; establishing an income tax credit, sales tax exemption and loan and grant program program to be administered by the secretary of commerce for the purpose of developing film, video or digital production in Kansas; establishing the Kansas film and digital media production development act education fund and the Kansas film and digital media production development act workforce training and business direct investment fund; amending K.S.A. 2022 Supp. 79-3606 and repealing the existing section.

On roll call, the vote was: Yeas 28; Nays 7; Present and Passing 4; Absent or Not Voting 1.

Yeas: Baumgardner, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Sykes, Ware, Wilborn.

Nays: Blasi, Peck, Pyle, Steffen, Straub, Thompson, Tyson.

Present and Passing: Alley, Gossage, O'Shea, Warren.

Absent or Not Voting: Billinger.

The bill passed, as amended.

EXPLANATION OF VOTE

I vote a hard NO on **SB 91**. To throw good money at an industry that has all the ability in the world to stand on its own two feet is playing reckless with taxpayer's money. This is simply big government, corporate welfare that is divisive. Our Kansas businesses want to keep their money not give it to Hollywood.—MARK STEFFEN

SB 96, AN ACT concerning taxation; relating to income, privilege and premium tax credits; establishing a tax credit for contributions to eligible charitable organizations operating pregnancy centers or residential maternity facilities.

On roll call, the vote was: Yeas 28; Nays 11; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Absent or Not Voting: Billinger.

The bill passed.

EXPLANATION OF VOTE

This legislation encourages and indirectly subsidizes centers that present themselves as healthcare clinics but operate with the sole intention of persuading pregnant women against having abortions. These centers are unregulated, unethical, and employ harmful tactics to manipulate women – and sometimes deceive them into continuing their pregnancies until it is too late for a legal abortion that they have every right to choose for themselves. I do not believe the state has any business endorsing these manipulative, harmful practices. Kansans are sick and tired of the lies, deceptions, and fear-mongering around a nuanced, private decision. I will not support efforts to legitimize and subsidize these lies. I vote NO.—DINAH SYKES

SB 98, AN ACT concerning postsecondary and postgraduate medical programs; relating to financial assistance therefor; osteopathic medical service scholarships; medical student loan program and residency bridging program; encouraging the practice of obstetrics and gynecology; establishing the OBGYN medical loan repayment fund and the OBGYN medical residency bridging fund; amending K.S.A. 74-3265, 74-3268, 76-381, 76-383, 76-385, 76-386 and 76-387 and repealing the existing sections; also repealing K.S.A. 76-386a.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Billinger.

The bill passed, as amended.

Sub SB 131, AN ACT concerning certain healthcare providers; relating to the powers, duties and functions thereof; providing a sports waiver for certain out-of-state physicians to practice medicine on a limited basis in this state during certain sporting events; authorizing the state board of healing arts to adopt procedures to allow other licensed and regulated healthcare professionals to be issued a sports waiver; authorizing the state board of healing arts to adopt rules and regulations related thereto.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Billinger.

The bill passed.

SB 169, AN ACT concerning income taxation; relating to rates; providing a 4.75% tax rate for individuals; amending K.S.A. 2022 Supp. 79-32,110 and repealing the existing section.

On roll call, the vote was: Yeas 22; Nays 17; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Blasi, Claeys, Erickson, Fagg, Gossage, Kloos, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Kerschen, Longbine, McGinn, Pettey, Pittman, Reddi, Sykes, Ware.

Absent or Not Voting: Billinger.

The bill passed.

EXPLANATION OF VOTE

Under this policy, Kansans who make \$15,001 are subject to the same tax rate as a millionaire. The lowest 20% of Kansas income range residents would have an effective total tax rate of 10.7%, while the top 1% of Kansans would have an effective tax rate of just 7.4%. Proponents have argued that this tax rate will attract new residents. I believe that people will not move to Kansas because of a less than 1% tax cut – they'll move here for jobs and to raise their families. And they certainly won't do that if we can't fund our schools because we've destroyed our economy once again.—DINAH SYKES

SB 205, AN ACT concerning water; relating to water rights; authorizing certain water rights in a water bank to participate in multi-year flex accounts on a temporary basis; amending K.S.A. 82a-764 and K.S.A. 2022 Supp. 82a-736 and repealing the existing sections.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Billinger.

The bill passed, as amended.

SB 228, AN ACT concerning counties; requiring the secretary for aging and disability services to reimburse counties for certain costs when a person is confined in a county jail awaiting examination, evaluation or treatment for competency; relating to county jails; removing the requirement that every county shall have a jail; modernizing requirements related to food, drink and medical care for prisoners and jail records; modifying procedures used when district courts commit prisoners to jail in another county and when counties contract with city jails or other county jails to keep prisoners; requiring a medical examination before certain United States prisoners or city prisoners are taken into custody of a county jail; amending K.S.A. 19-1901, 19-1903, 19-1904, 19-1905, 19-1910, 19-1911, 19-1916, 19-1917, 19-1927, 19-1929 and 19-1930 and repealing the existing sections; also repealing K.S.A. 19-1906, 19-1907, 19-1908, 19-1912, 19-1913, 19-1914 and 19-1915.

On roll call, the vote was: Yeas 34; Nays 3; Present and Passing 2; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson,

Fagg, Faust-Goudeau, Gossage, Haley, Holland, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Holscher, Sykes, Ware.

Present and Passing: Francisco, Pettey.

Absent or Not Voting: Billinger.

The bill passed, as amended.

Sub SB 232, AN ACT concerning children and minors; establishing the office of the child advocate as an independent state agency and prescribing certain powers, duties and functions therefor; authorizing access to certain records; relating to children in need of care; making orders granting custody for adoption subject to the federal Indian child welfare act; directing the secretary for children and families to consider foster parents as prospective adoptive parents under certain circumstances; requiring the secretary to report certain data on adoptions; authorizing the appeal of any order of placement of a child; providing for retroactivity; amending K.S.A. 38-2203, 38-2213, 38-2270, 38-2273, 38-2309 and 38-2310 and K.S.A. 2022 Supp. 38-2211 and 38-2212 and repealing the existing sections.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Billinger.

The substitute bill passed.

SB 243, AN ACT concerning minors; relating to settlement agreements; providing requirements and procedures for a person having legal custody of a minor to enter into a settlement agreement on behalf of the minor increasing certain related dollar amounts in the Kansas uniform transfers to minors act and the act for obtaining a guardian or a conservator, or both; amending K.S.A. 38-1707, 59-3053 and 59-3055 and repealing the existing sections.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Billinger.

The bill passed, as amended.

SB 248, AN ACT concerning sales and compensating use tax; relating to exemptions; providing a sales tax exemption for sales of certain food and food ingredients and a sales tax exemption for purchases for the construction or repair of buildings used for human habitation by the Kansas state school for the blind and the Kansas state school for the deaf; repealing the state rate reduction for sales of certain food and food ingredients; amending K.S.A. 12-189a and K.S.A. 2022 Supp. 79-3603, 79-3606, 79-

3620, 79-3703 and 79-3710 and repealing the existing sections; also repealing K.S.A. 2022 Supp. 79-3603d.

On roll call, the vote was: Yeas 22; Nays 16; Present and Passing 1; Absent or Not Voting 1.

Yeas: Alley, Blasi, Claeys, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Kloos, Masterson, Olson, Peck, Petersen, Pittman, Pyle, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Bowers, Corson, Dietrich, Doll, Francisco, Holland, Holscher, Kerschen, Longbine, McGinn, O'Shea, Pettey, Reddi, Ryckman, Sykes, Ware.

Present and Passing: Baumgardner.

Absent or Not Voting: Billinger.

The bill passed, as amended.

EXPLANATION OF VOTE

I voted no on **SB 248** because of the impact on our local communities. I'm in favor of eliminating the sales food tax, but not on local communities, I draw the line there. As local officials discuss their budgets, they are thinking about revenue sources. Most of them have revenues from their sales tax whether it's for Star Bond district, community improvement district, street maintenance or parks and recreation. Voters supported some of these initiatives by voting on a sales tax and we are removing that revenue from them. We are saying maintain what you have with less revenue, and I don't think that's our job to do. We need to have them make their own decisions without making it for them.—USHA REDDI

Senators Francisco and Pettey request the record to show they concur with the "Explanation of Vote" offered by Senator Reddi on **SB 248**.

CHANGE OF REFERENCE

The President withdrew **SB 62** from the Committee on **Financial Institutions and Insurance**, and referred the bill to the Committee on **Ways and Means**.

The President withdrew **SB 74**, **SB 244** from the Committee on **Judiciary**, and referred the bills to the Committee on **Ways and Means**.

The President withdrew **SB 20**, **SB 103**, **SB 139**, **SB 234** from the Committee on **Public Health and Welfare**, and referred the bills to the Committee on **Ways and Means**.

The President withdrew **SB 23**, **SB 63**, **SB 68**, **SB 104**, **SB 112**, **SB 114**, **SB 163**, **SB 166**, **SB 193**, **SB 204**, **SB 238** from the Calendar under the heading of **General Orders**, and referred the bills to the Committee on **Ways and Means**.

TRIBUTES

The Committee on Organization, Calendar, and Rules authorizes the following tributes for the week of February 20 through February 23, 2023:

Senator Bowers: celebrating Charlene Meistrell's 100th Birthday, congratulating Andrew Ochampaugh on receiving the 2022 Russell Area Chamber of Commerce Community Service Award;

Senator Faust Goudeau: commending the 12th Annual Art that Touches Your Heart event;

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Senator Sykes: celebrating the Kansas Volunteer Commission's 30th Anniversary;
and
Senator Thompson: extending recognition to Moms for Liberty – Johnson County.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Wednesday, March 1, 2023.

Journal of the Senate

THIRTY-FOURTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, March 1, 2023, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 31 senators present.
Senators Baumgardner, Billinger, Haley, Holscher, Olson, Pyle, Steffen, Straub and Ware were excused.

Invocation by Reverend Cecil T. Washington:

Heart Transplants: A Prayer For...
Psalm 33:11-13, 2 Chronicles 7:14, Psalm 42:1

Heavenly Father, Your Word declares in Psalm 33:11-13 that You look down from Heaven and see all the sons of man. You see all of us. Not only do You see us but You created every one of us. Even though some of us act like we descended from monkeys.

Through the Psalmist, You also reveal how faithful You are to the principles found in Your Word. The thoughts, plans and counsel of Your heart toward us has not changed. For You are the same God You've always been. You promise to bless, to favor and prosper the nation that surrenders to You as their God. And to become that nation of people, You made it clear in 2 Chronicles 7:14, we're to humble ourselves, pray and seek Your face while turning from our sins.

But the only way we can do that is by the influence of Your Holy Spirit when You confront us, convict us, convince us and convert us.

So, Lord, we're asking You to give us heart transplants. Give us hearts that are running after You. Like the Psalmist said in 42:1, like a deer that longs for streams of water, give us hearts that long for You. Lord, send revival! And to that end give wisdom, guidance and protection to the Leaders in this House and to all who serve in government. In Jesus' Name I pray, Amen!

The Pledge of Allegiance was led by Vice President Wilborn.

POINT OF PERSONAL PRIVILEGE

Senator Pittman rose on a Point of Personal Privilege to recognize the outstanding accomplishments of the Leavenworth High School JROTC Raiders teams and presented the teams with a senate tribute.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 281, AN ACT concerning the Kansas department for aging and disability

services; creating a dementia services coordinator position, by Committee on Federal and State Affairs.

SB 282, AN ACT concerning the department of health and environment; relating to licensure of child care facilities; day care homes and child care centers; establishing license capacity and staff-to-child ratios; lowering license fees and training requirements; required age of child care center staff; creating a process for day care facility licensees to apply for temporary waiver of certain statutory requirements; authorizing the secretary to develop and operate pilot programs to increase day care facility availability and capacity; amending K.S.A. 65-503, 65-505, 65-508 and 65-512 and K.S.A. 2022 Supp. 48-3406 and repealing the existing sections, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture and Natural Resources: **HB 2160**.

Education: **HB 2092**.

Federal and State Affairs: **SCR 1609**.

Financial Institutions and Insurance: **HB 2094**, **HB 2097**, **HB 2098**.

Judiciary: **SB 280**.

Local Government: **HB 2082**.

Public Health and Welfare: **HB 2024**.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Ware introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1711—

A RESOLUTION commemorating the 125th Anniversary
of Friends University in Wichita, Kansas.

WHEREAS, Friends University traces its roots to 1885, when the Christian Churches of Kansas voted to establish an institution of higher learning, which was then named Garfield College; and

WHEREAS, Garfield College was named in honor of President James A. Garfield; and

WHEREAS, Garfield College opened its doors in September 1887 and closed in 1892; and

WHEREAS, In 1898, businessman James M. Davis secured the Garfield College building and immediately offered the entire holding to the Kansas Friends, which paved the way to the reopening of the building and school as a Quaker school to be named Friends University; and

WHEREAS, Friends University opened on September 21, 1898, with 53 students and 12 faculty members; and

WHEREAS, In 1901, the first class of graduates was recognized by the university; and

WHEREAS, The university continued to thrive, such that, by 1914, its enrollment population had grown to 450 students; and

WHEREAS, Friends University operated as a Quaker institution until the 1930s, when governance of the school was vested in an independent board of trustees; and

WHEREAS, Friends University continued to operate in a collaborative relationship with the Society of Friends; and

WHEREAS, Friends University continued to reflect on the Quaker founders' vision and values by focusing on offering a transformational education that honors God and places special value on each individual; and

WHEREAS, From its inception, Friends University was one of the first higher education institutions in Kansas to admit women and African American students; and

WHEREAS, Friends University recognized the call to meet the increasing needs of students by offering a new degree completion program in 1985, which catered to adults wishing to complete their bachelor's degree while maintaining their busy lives; and

WHEREAS, In 1986, Friends University further expanded its academic offering by approving two new master's programs; and

WHEREAS, Friends University reaches students across Kansas by hosting classes in Wichita, Hutchinson, Dodge City, Iola and Topeka; and

WHEREAS, Friends University also operates an education center in the Kansas City area and administers online programs; and

WHEREAS, Throughout its history, the University has remained committed to its central core: The arts and sciences; providing a holistic education for every student; and upholding the Respect, Inclusion, Service, Excellence (R.I.S.E.) values in the learning community; and

WHEREAS, Friends University serves more than 2,000 students from over 43 states, two territories and 19 countries; and

WHEREAS, Friends University offers online learning with over 60 areas of study; and

WHEREAS, Friends University employs more than 682 Kansans as faculty and staff, who are committed to Friends University's mission to instill in students the values of honoring God and serving others; and

WHEREAS, There are thousands of Friends University graduates serving people all over the world, be it as teachers, executives, doctors, artists, pastors, technology experts and other professions; and

WHEREAS, Friends University is a significant economic benefactor to the State of Kansas, contributing \$76.9 million in economic impact per year and \$5.5 million in state and local tax revenue; and

WHEREAS, Friends University lives its mission, in part, by preparing Kansans to serve the people in this great State: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we commemorate the 125th Anniversary of Friends University in Wichita, Kansas; and

Be it further resolved: That we commend Friends University for educating students and instilling in them the values to honor God and serve others; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Senator Ware.

On emergency motion of Senator McGinn **SR 1711** was adopted by voice vote.

MESSAGES FROM THE GOVERNOR

Enclosed herewith is Executive Directive No. 23-566 for your information. (February 27, 2023)

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2191, HB 2019, HB 2020, HB 2034, HB 2039, HB 2056, HB 2080, HB 2087, HB 2127, HB 2130, HB 2131, HB 2133, HB 2149, HB 2172, HB 2173, HB 2236, HB 2238, HB 2240, HB 2263, HB 2264, HB 2298, HB 2322, HB 2332, HB 2378.**

Announcing passage of **SB 11.**

Announcing passage of **HB 2023, HB 2047, HB 2053, HB 2086, HB 2114; Sub HB 2121, HB 2138, HB 2141, HB 2147, HB 2184, HB 2196, HB 2197, HB 2198, HB 2216, HB 2226, HB 2260, HB 2279, HB 2288, HB 2291, HB 2292, HB 2293, HB 2302, HB 2323, HB 2325, HB 2326, HB 2335, HB 2336, HB 2338, HB 2340, HB 2346, HB 2350, HB 2375, HB 2376, HB 2387, HB 2390, HB 2392, HB 2395, HB 2398, HB 2408.**

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2019, HB 2020, HB 2023, HB 2034, HB 2039, HB 2047, HB 2053, HB 2056, HB 2080, HB 2086, HB 2087, HB 2114; Sub HB 2121; HB 2127, HB 2130, HB 2131, HB 2133, HB 2138, HB 2141, HB 2147, HB 2149, HB 2172, HB 2173, HB 2184, HB 2191, HB 2196, HB 2197, HB 2198, HB 2216, HB 2226, HB 2236, HB 2238, HB 2240, HB 2260, HB 2263, HB 2264, HB 2279, HB 2288, HB 2291, HB 2292, HB 2293, HB 2298, HB 2302, HB 2322, HB 2323, HB 2325, HB 2326, HB 2332, HB 2335, HB 2336, HB 2338, HB 2340, HB 2346, HB 2350, HB 2375, HB 2376, HB 2378, HB 2387, HB 2390, HB 2392, HB 2395, HB 2398, HB 2408 were thereupon introduced and read by title.

CHANGE OF REFERENCE

Under the authority of the President the Vice President withdrew **SB 23, SB 63, SB 68, SB 104, SB 112, SB 114, SB 163, SB 166, SB 193, SB 204, SB 238** from the Committee on **Ways and Means**, and rereferred the bills to the calendar under the heading of **General Orders**.

Under the authority of the President the Vice President withdrew **SB 62** from the Committee on **Ways and Means**, and rereferred the bill to the Committee on **Financial Institutions and Insurance**.

Under the authority of the President the Vice President withdrew **SB 74, SB 244** from the Committee on **Ways and Means**, and rereferred the bills to the Committee on **Judiciary**.

Under the authority of the President the Vice President withdrew **SB 20, SB 103, SB 139, SB 234** from the Committee on **Ways and Means**, and rereferred the bills to the Committee on **Public Health and Welfare**.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Thursday, March 2, 2023.

Journal of the Senate

THIRTY-FIFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, March 2, 2023, 2:30 p.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 35 senators present.
Senators Haley, Olson, Pyle, Steffen and Ware were excused.
Invocation by Reverend Cecil T. Washington:

The Last Word?
Mica 6:8; Acts 4:18; John 1:1

Heavenly Father, as leaders, whether at home, in the community or in this house, our positions are being sought after. There are those wanting their word to be the last word. They come at us with their own agenda, their own way of thinking, even some that are close, near and dear to us.

But the truth is You've already given us an agenda, a to-do-list. Through Your Old Testament Prophet Mica 6:8, You said we're to do good, to do what is right, to love mercy and walk humbly with You as our God. As the "One In Charge," help us to stay true to Your agenda. Help us stick to convictions that are firmly grounded in principles of Yours rather than human preferences that are subject to whims.

In Acts 4:18, while facing opposition and rejection, Peter and John chose to stay true to Your agenda rather than be influenced by others. In the same way that we make minor adjustments in the steering wheel to remain in the center of a straight highway, help us Lord on this "Highway of Life" that You've given us, to only make adjustments that keep us going straight, straight according to the map You've laid out for us.

We need Your Word to be the last word. I offer this prayer, In the Name of Him, Who according to John 1:1 is the Word personified. Amen and Amen

The Pledge of Allegiance was led by President Masterson.

POINT OF PERSONAL PRIVILEGE

Senator Pittman rose on a Point of Personal Privilege to recognize students visiting the Senate in honor of Theatre Day at the Capitol.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 283, AN ACT concerning real property; relating to the conveyance thereof; prohibiting the conveyance of real property parcels of 10 or more acres to foreign adversaries; establishing criminal penalties therefor; requiring the attorney general to

investigate such conveyances, by Committee on Federal and State Affairs.

SB 284, AN ACT concerning disability services; relating to telecommunications and information access services; establishing the blind information access act; requiring the state librarian to contract with an organization to provide on-demand information access services to persons who are blind, visually impaired, deafblind or print disabled; establishing the blind information access fund; requiring the transfer of moneys from the Kansas universal service fund to provide for such services; amending K.S.A. 66-2010 and repealing the existing section, by Committee on Ways and Means.

SB 285, AN ACT concerning veterans and military; relating to national guard officers; eliminating the requirement of senate confirmation thereof; amending K.S.A. 2022 Supp. 48-208 and repealing the existing section, by Committee on Federal and State Affairs.

SB 286, AN ACT concerning abortion; prohibiting abortion procedures, exceptions; providing a private cause of action for civil enforcement of such prohibition; amending K.S.A. 65-2401, 65-2837, 65-6731, 65-67a01, 76-3308 and 79-32,195 and K.S.A. 2022 Supp. 60-1906, 79-32,182b, 79-32,261 and 79-3606 and repealing the existing sections; also repealing K.S.A. 65-4a01, 65-4a02, 65-4a03, 65-4a04, 65-4a05, 65-4a06, 65-4a07, 65-4a08, 65-4a09, 65-4a10, 65-4a11, 65-4a12, 65-6701, 65-6702, 65-6703, 65-6704, 65-6705, 65-6707, 65-6708, 65-6709, 65-6710, 65-6711, 65-6712, 65-6714, 65-6715, 65-6721, 65-6722, 65-6723, 65-6724, 65-6725, 65-6726, 65-6741, 65-6742, 65-6743, 65-6744, 65-6745, 65-6746, 65-6747, 65-6748 and 65-6749, by Committee on Federal and State Affairs.

SB 287, AN ACT concerning the Kansas silver alert plan; expanding such plan to include persons 18 years of age or older who have dementia, a developmental disability or a cognitive impairment; amending K.S.A. 75-754 and repealing the existing section, by Committee on Federal and State Affairs.

SB 288, AN ACT concerning drivers' licenses; authorizing certain individuals with revoked licenses to be eligible for restricted driving privileges; amending K.S.A. 8-2110 and repealing the existing section, by Committee on Federal and State Affairs.

SB 289, AN ACT concerning crimes, punishment and criminal procedure; relating to functional incapacitation release and terminal medical condition release; permitting release of persons sentenced to imprisonment for an off-grid offense; extending terminal medical condition release to inmates in the custody of the secretary of corrections with a condition likely to cause death within 180 days; amending K.S.A. 2022 Supp. 22-3728 and 22-3729 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 290, AN ACT concerning elections; relating to primary elections; requiring a presidential preference primary election; changing the primary election date for all primary elections to the first Tuesday following the first Monday in May; amending K.S.A. 25-203, 25-205, 25-302a, 25-1115, 25-1122, 25-1903, 25-2006, 25-2010, 25-2018, 25-2102, 25-2107, 25-2108a, 25-2109, 25-21a01, 25-21a03, 25-2502, 25-26a03, 25-3801, 25-3901, 25-4004, 25-4005, 25-4153a, 25-4501a, 25-4502, 71-1413, 71-1414 and 71-1422 and K.S.A. 2022 Supp. 19-3505 and repealing the existing sections; also repealing K.S.A. 25-4503, 25-4505, 25-4506, 25-4507 and 25-4508, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Agriculture and Natural Resources: **HB 2039, HB 2047, HB 2279, HB 2302, HB 2332.**

Commerce: **SB 282; HB 2173, HB 2292, HB 2336, HB 2387.**

Education: **HB 2080, HB 2138, HB 2236, HB 2238, HB 2322, HB 2375.**

Federal and State Affairs: **HB 2053, HB 2056, HB 2086, HB 2087, HB 2291, HB 2376, HB 2378.**

Financial Institutions and Insurance: **HB 2133, HB 2196, HB 2197, HB 2198.**

Judiciary: **HB 2023, HB 2114; Sub HB 2121; HB 2127, HB 2130, HB 2131, HB 2172, HB 2216, HB 2293, HB 2326, HB 2350, HB 2392, HB 2395, HB 2398.**

Local Government: **HB 2323.**

Public Health and Welfare: **SB 281; HB 2034, HB 2141, HB 2240, HB 2260, HB 2263, HB 2264, HB 2288, HB 2325, HB 2338, HB 2340, HB 2390, HB 2408.**

Transportation: **HB 2019, HB 2020, HB 2147, HB 2149, HB 2298, HB 2335, HB 2346.**

Utilities: **HB 2226.**

Ways and Means: **HB 2184, HB 2191.**

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Holland, Erickson, Alley, Baumgardner, Dietrich, Faust Goudeau, Francisco, Gossage, Haley, Longbine, Masterson, O'Shea, Peck, Petersen, Pettey, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Ware and Warren introduced the following Senate resolution, which was read:
SENATE RESOLUTION No. 1712—

A RESOLUTION recognizing the Kansas Small Business
Development Center's 2023 Businesses of the Year.

WHEREAS, The mission of the Kansas Small Business Development Center (SBDC), a member of the national organization, America's SBDC, is to increase economic prosperity in Kansas by helping entrepreneurs and small business owners, in a wide variety of industries across the state, start and grow their businesses through professional consulting and training and the identification of appropriate resources; and

WHEREAS, The Kansas SBDC has supported over 104,229 clients, offered 21,454 training classes, taught over 228,995 training attendees and spent 501,259 hours in counseling small businesses; and

WHEREAS, The Kansas SBDC selected eight Emerging Business of the Year award recipients, seven Existing Business of the Year award recipients and one Exporting Business of the Year award recipient; and

WHEREAS, The 16 Kansas SBDC award recipients will be recognized during the Kansas SBDC Annual Awards Ceremony on March 2, 2023; and

WHEREAS, The Kansas SBDC's awards are designed to recognize Kansas SBDC clients for superior performance; and

WHEREAS, Award recipients have achieved major accomplishments, overcome significant obstacles, shown growth and positive economic impact, which is based on a record of profitability and the Kansas SBDC Economic Impact Tracking spreadsheet,

and demonstrated good corporate citizenship through community contributions; and

WHEREAS, The 2023 Kansas SBDC Emerging Businesses of the Year are: Trox Gallery and Gifts in Emporia, Kansas, owned by Kaila Mock; GTR Limousine & Party Services in Great Bend, Kansas, owned by Ruth Joiner; Cap Creations in Olathe, Kansas, owned by Rashawnda Wright; Lyons Realty Group in Fort Scott, Kansas, owned by Bailey Lyons; Hickory Hollow in Spearville, Kansas, owned by Allison Langlois; Coldsteel Sluggers LLC in Manhattan, Kansas, owned by Kris Wetherington; Sew In 2 Quilts in Hutchinson, Kansas, owned by Karna Lackey; and Fields & Ivy Brewery in Lawrence, Kansas, owned by Cory Johnston; and

WHEREAS, The 2023 Kansas SBDC Existing Businesses of the Year are: Allen Meat Processing in Allen, Kansas, owned by Donna and Mike Uhl; Little Building Blocks Daycare in Gardner, Kansas, owned by Marcia Booton; Braden Peak's Roto-Rooter Plumbing and Draining Services in Pittsburg, Kansas, owned by Braden Peak; Stumpy's Smoked Cheese in Topeka, Kansas, owned by Quint and Stacy Cook; Wichita Pet Wellness in Wichita, Kansas, owned by Christy Rafferty; Home Sweet Home Dog Resort in Lawrence, Kansas, owned by Anthony Barnett; and RSVP MedSpa and Cosmetic Eye Institute in Overland Park, Kansas, owned by Selena Fu; and

WHEREAS, The 2023 Kansas SBDC Exporting Business of the Year is Aero-Mod Inc. in Manhattan, Kansas, owned by Todd Steinbach and Rob Mahan; and

WHEREAS, The Kansas SBDC award recipients serve as examples of the success that the Kansas SBDC and small business owners across Kansas can achieve: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we recognize the Kansas Small Business Development Center's 2023 Businesses of the Year; and

Be it further resolved: That we wish all of the award recipients, the Kansas SBDC and America's SBDC continued success in the future; and

Be it further resolved: That the Secretary of the Senate shall send 25 enrolled copies of this resolution to Senator Holland.

On emergency motion of Senator Erickson **SR 1712** was adopted by voice vote.

COMMUNICATIONS FROM STATE OFFICERS

The following report was submitted to the Senate and is on file with the Secretary of the Senate:

Kansas Fights Addiction Grant Review Board Annual Report (March 1, 2023)

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2176**, **HB 2290**.

Announcing passage of **SB 39**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2176, **HB 2290** were thereupon introduced and read by title.

On motion of Senator Alley, the Senate adjourned pro forma until 9:00 a.m., Friday, March 3, 2023.

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THIRTY-SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, March 3, 2023, 9:00 a.m.

The Senate was called to order pro forma by Senator Carolyn McGinn.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Federal and State Affairs: **SB 283, SB 285, SB 286, SB 290.**

Judiciary: **SB 288, SB 289.**

Public Health and Welfare: **SB 287.**

Utilities: **SB 284.**

MESSAGES FROM THE GOVERNOR

The following appointment made by the Governor and submitted to the Senate for confirmation was introduced and the appointment letter was read:

Patrick Zollner, Executive Director, Kansas State Historical Society (submitted February 17, 2023)

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2058, HB 2059, HB 2124, HB 2170, HB 2269.**

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2058, HB 2059, HB 2124, HB 2170, HB 2269 were thereupon introduced and read by title.

REPORT ON ENROLLED BILLS

SB 11 reported correctly enrolled, properly signed and presented to the Governor on March 3, 2023.

SR 1711, SR 1712 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on March 3, 2023.

TRIBUTES

The Committee on **Organization, Calendar, and Rules** authorizes the following tributes for the week of March 1 through March 3, 2023:

Senator congratulating Noor Haideri on winning the 2022 Breakthrough Junior Competition, congratulating Dianne Dunn for her role in Blue Valley's winning entry in the Breakthrough Junior Competition;

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Senator Pettey: congratulating Arianna Ortiz from Turner High School on winning a 5A/6A State Wrestling Championship; and
Senator Pittman: recognizing Theatre in Our Schools Day at the Capitol.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Monday, March 6, 2023.

Journal of the Senate

THIRTY-SEVENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, March 6, 2023, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 36 senators present.
Senators Blasi, Holland, Holscher and Peck were excused.
Invocation by Reverend Cecil T. Washington:

Thanking God In EVERYTHING!
1 Thessalonians 5:17-18, Romans 8:28

Heavenly Father, as we come to this time of prayer, You say in 1 Thessalonians 5:17-18, that prayer should be a constant way of life, that we should always have our antennas up, tuned in to Your frequency. And, we should always be giving thanks.

So, Lord here's thanking You for bringing us through another weekend. Thank You for our times of rest, no matter how brief.

You said we should give thanks in ALL circumstances. And Lord, even though some situations may not feel thankworthy on the surface, we can trust Your Divine Love and providence to determine what's good for us. And we can trust You to protect us from what's not good.

You guided the Apostle Paul to tell us in Romans 8:28, that we can be confident, that because of Your love for us You cause all things, all activities and all situations to work together, in harmony for our good. And that's as long as we're concerned with Your plan and purpose. So once again Lord, thank You for what You're doing even in the times we don't have a clue as to what You're doing.

Therefore, Lord, remind us to be constantly seeking You in our prayer while continuing in our thankfulness. In Jesus' Name I thank You for the opportunity to offer this prayer. Amen!

The Pledge of Allegiance was led by Vice President Wilborn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 291, AN ACT concerning environmental, social and governance criteria involving public contracts and investments; enacting the Kansas public investments and contracts protection act; prohibiting the state or a political subdivision from giving preferential treatment to or discriminating against companies based on environmental, social and governance criteria in procuring or letting contracts; requiring fiduciaries of the Kansas public employees retirement system to act solely in the financial interest of participants

and beneficiaries of the system; restricting state agencies from adopting environmental, social and governance criteria or requiring any person or business to operate in accordance with such criteria; directing registered investment advisers to provide certain environmental, social and governance criteria notice to clients; requiring the legislative research department to develop and maintain an environmental, social and governance disclosure webpage; providing for enforcement of such act by the attorney general; amending K.S.A. 2022 Supp. 74-4921 and repealing the existing section, by Committee on Federal and State Affairs.

SB 292, AN ACT concerning veterans and military; updating certain provisions related to the Kansas army and air national guard; providing for the appointment of a state judge advocate; increasing monthly disability and death benefits; providing for the adjustment of such disability and death benefits; amending K.S.A. 48-101, 48-202, 48-205, 48-206, 48-209, 48-211, 48-214, 48-216, 48-216, 48-242, 48-243, 48-252c, 48-261, 48-267, 48-269, 48-301, 48-509 and 48-516 and K.S.A. 2022 Supp. 48-204 and repealing the existing sections; also repealing K.S.A. 48-103, 48-219, 48-221, 48-222, 48-223, 48-228, 48-237 and 48-252, by Committee on Federal and State Affairs.

SB 293, AN ACT concerning parimutuel wagering; relating to historical horse races; crediting tax revenue generated to the horse breeding development fund and the horse fair racing benefit fund; amending K.S.A. 2022 Supp. 74-8823 and repealing the existing section, by Committee on Assessment and Taxation.

SB 294, 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 Ways and Means.

SB 295, AN ACT concerning property taxation; authorizing the continuation of the 20 mill statewide levy for schools; amending K.S.A. 2022 Supp. 72-5142 and repealing the existing section, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **HB 2176**.

Federal and State Affairs: **HB 2058, HB 2059, HB 2124, HB 2170, HB 2269**.

Ways and Means: **HB 2290**.

REFERENCE OF APPOINTMENTS

The following appointment made by the Governor and submitted to the Senate for confirmation, was referred to Committee as indicated:

Executive Director, Kansas Historical Society:

Patrick Zollner, to serve at the pleasure of the governor.

(Committee on Transparency and Ethics)

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

Under the authority of the President, the Vice President referred **SB 291** to the Committee on Federal and State Affairs.

REPORTS OF STANDING COMMITTEES

Committee on **Ways and Means** recommends **SB 172** be passed.

Also, **SB 203** be amended on page 1, in line 14, by striking "state" and inserting "postsecondary"; in line 21, by striking "State" and inserting "Postsecondary"; in line 22, by striking "76-711" and inserting "74-3201b"; in line 30, by striking "state" and inserting "postsecondary"; in line 33, after "(c)" by inserting "(1) Except as provided in paragraph (2),"; in line 34, by striking "state" and inserting "postsecondary"; following line 35, by inserting:

"(2) Expenditures from the fund for a community college, technical college or municipal university shall not require a match.";

On page 2, in line 8, by striking "\$350,000,000" and inserting "\$240,000,000"; in line 10, by striking "state" and inserting "postsecondary"; in line 13, by striking "state" and inserting "postsecondary"; in line 14, by striking the second "state" and inserting "postsecondary"; in line 17, by striking "state" and inserting "postsecondary"; in line 26, before "The" by inserting "(a)"; following line 29, by inserting:

"(b) Commencing in fiscal year 2025 and ending in fiscal year 2036, the board of regents shall credit \$100,000 in each fiscal year from the Kansas campus restoration fund to each community college, technical college and municipal university account established pursuant to section 2, and amendments thereto.";

On page 1, in the title, in line 3, by striking "state" and inserting "postsecondary"; and the bill be passed as amended.

HB 2184, HB 2191 be passed and, because the committee is of the opinion that the bills are of a noncontroversial nature, be placed on the consent calendar.

REPORT ON ENROLLED BILLS

SB 39 reported correctly enrolled, properly signed and presented to the Governor on March 6, 2023.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Tuesday, March 7, 2023.

Journal of the Senate

THIRTY-EIGHTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, March 7, 2023, 2:30 p.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 38 senators present.
Senators Blasi and Pyle were excused.
Invocation by Reverend Cecil T. Washington:

Choosing To Love And Understand!
Romans 3:9-10,23, Proverbs 4:7

Heavenly Father, being created in Your image means, among other things, that we have the power of choice. Even though You love us enough to give us Heavenly directions we choose otherwise. And that's the problem with ALL of us.

When we look at our neighbor and wonder why he or she is being so foolish or why they would be so contrary, Your Word in Romans 3:9-10,23 helps us realize why. You say all of us have lost it. All of us have messed up, sinned and fallen short of Your standards.

So, Lord, It doesn't matter which side of the aisle, which side of the city or which side of the argument we may be on. We're all on the underside of the Sun and the top side of the earth, combining our feeble efforts trying to make life better.

So, Lord, help us to not expect too much of each other and to be more understanding. We're always praying for and seeking wisdom, but You tell us in Proverbs 4:7 that second to pursuing wisdom we should be striving to gain understanding.

So, Lord, please move us in the direction of making the right choices and in the right order. First, love and more understanding toward You, then more toward our neighbor. In the Name of Jesus, "The Love Of God, Personified," I cry Amen!

The Pledge of Allegiance was led by President Masterson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 296, AN ACT concerning the personal and family protection act; prohibiting the collection of personal information regarding off-duty law enforcement officers entering buildings or requiring the officer to wear anything identifying the person as a law enforcement officer or being armed; amending K.S.A. 75-7c22 and repealing the existing section, by Committee on Federal and State Affairs.

SB 297, AN ACT concerning abortion; revising the definition of abortion; excluding certain procedures from the definition; amending K.S.A. 40-2,190, 65-4a01, 65-6701,

65-6723 and 65-6742 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 298, AN ACT concerning children and families; relating to orders of child support; providing for child support for unborn children with a detectable heartbeat; amending K.S.A. 2022 Supp. 20-165, 23-2205 and 23-3001 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 299, AN ACT concerning income taxation; relating to Kansas exemptions for an individual; providing additional exemptions for unborn children with a detectable heartbeat; amending K.S.A. 2022 Supp. 79-32,121 and repealing the existing section, by Committee on Federal and State Affairs.

SB 300, AN ACT concerning privilege tax; relating to rates; decreasing the privilege tax rates on banks, trust companies and savings and loan associations by reducing the normal tax rates; amending K.S.A. 79-1107 and 79-1108 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 301, AN ACT concerning governmental ethics; relating to statements of substantial interests; requiring annual filing of such statements by local governmental officers and employees; amending K.S.A. 46-252 and 75-4302a and repealing the existing sections, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Federal and State Affairs: **SB 293**.

Judiciary: **SB 292**.

Public Health and Welfare: **SB 294**.

Ways and Means: **SB 295**.

CHANGE OF REFERENCE

The President withdrew **SB 283** from the Committee on **Federal and State Affairs** and referred the bill to the Committee on **Judiciary**.

REPORTS OF STANDING COMMITTEES

Committee on **Education** recommends **HB 2238** be passed.

Committee on **Judiciary** recommends **SB 244** be passed.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Wednesday, March 8, 2023.

Journal of the Senate

THIRTY-NINTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, March 8, 2023, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 40 senators present.
Invocation by Senator Rick Kloos.
The Pledge of Allegiance was led by Vice President Wilborn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 302, AN ACT concerning financial institutions; relating to the technology-enabled fiduciary financial institutions act; suspending technology-enabled fiduciary financial institutions from engaging in fidfin transactions, custodial services and trust business until the legislature consents to and approves the engaging in such activities by an act of the legislature; requiring the legislature to conduct a forensic audit of certain technology-enabled fiduciary financial institution activities; prescribing the scope of such audit, by Committee on Federal and State Affairs.

SB 303, AN ACT concerning legal tender; establishing the Kansas legal tender act; reaffirmation of gold and silver coin as legal tender; providing an income taxation subtraction modification for gains from the sale of specie; amending K.S.A. 2022 Supp. 79-32,117 and repealing the existing section, by Committee on Federal and State Affairs.

SB 304, AN ACT concerning school districts; authorizing the state board of education to establish new school districts for purposes of attachment of territory of a disorganized school district; providing for administrative and judicial review of resolutions to permanently close a school building; amending K.S.A. 72-635 and 72-1431 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 305, AN ACT concerning health professions and practices; enacting the massage therapist licensure act; providing for regulation and licensing of massage therapists; prescribing powers, duties and functions of the state board of healing arts, by Committee on Federal and State Affairs.

SB 306, AN ACT concerning income taxation; relating to Kansas adjusted gross income; providing an addition modification for losses from any investment in a technology-enabled fiduciary financial institution; amending K.S.A. 2022 Supp. 79-32,117 and repealing the existing section, by Committee on Assessment and Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 299, SB 300.**

Federal and State Affairs: **SB 296.**

Judiciary: **SB 298.**

Public Health and Welfare: **SB 297.**

Transparency and Ethics: **SB 301.**

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Reddi, Bowers, Corson, Dietrich, Doll, Erickson, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Kloos, Longbine, Masterson, McGinn, Petersen, Pettey, Pittman, Shallenburger, Sykes, Ware and Wilborn introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1713—

A RESOLUTION recognizing March 8, 2023, as International Women's Day.

WHEREAS, International Women's Day was first celebrated in Austria, Denmark, Germany and Switzerland in 1911; and

WHEREAS, More than one million people attended rallies campaigning for a woman's right to work, vote and hold public office, as well as calling for an end to gender discrimination; and

WHEREAS, In 1977, the United Nations General Assembly adopted a resolution calling on member states to proclaim a day for women's rights and international peace; and

WHEREAS, Following the United Nation's lead, each year, the President of the United States issues two proclamations. The first proclamation calls on all citizens to observe March as National Women's History Month, and the second celebrates International Women's Day on March 8th; and

WHEREAS, The United States continues to witness the rise of powerful movements that highlight places where women's rights and freedoms still fall short; and

WHEREAS, Advancing the rights, opportunities and full participation of women and girls in cultural, economic, political and social pursuits is the great unfinished business of the 21st century; and

WHEREAS, International Women's Day is an opportunity to celebrate the collective power of women and their achievements, as well as recognize the challenges women still face; and

WHEREAS, International Women's Day focuses the world's attention on women's rights and gender equality and inspires everyone to do their part to bring about positive change: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we recognize March 8, 2023, as International Women's Day; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Senator Reddi.

On emergency motion of Senator Reddi **SR 1713** was adopted by voice vote.

Senator Reddi shared the following comments regarding the resolution:

It's International Women's Day and I wanted to take a moment to acknowledge all of you and reflect on our journey. Before you were senators, before you found your careers or before you even dreamed of what you are today, someone in your ancestry, heritage, made an extraordinarily difficult decision to move to the United States. That decision placed you here today. While some were brought here against their will, many also came here because of their strong will. They wanted to provide a better life for their children. Whether your lineage is from Germany, Sweden, England, Russia, or other countries in Europe, Africa or Asia you are here because of them. They made their monumental journey with little money and few if any tangible items. Most didn't speak English, most were doing hard labor, and women carried a heavy load. Women did their part to hold families together and make sure everyone was taken care of without any support from extended families. They were leaders in their own right though they may not have been recognized for it and they often made personal sacrifices as necessary. My parents decided to come to the United States in 1973 when I was 8 years old. I'm an immigrant and a naturalized citizen. So, when people ask "where you are from?" I say Manhattan and then I say India. My daughter, Santhi got married last year in Indiana to wonderful young man. We were shopping for wedding dresses and a lady was assisting us. I was watching, advising, and writing down thoughts about each dress. In the hustle and bustle of trying on dresses she asked Santhi, where are you from? Santhi said "Kansas." I paused for a moment. Yes, she is from Kansas period and so are my sons. When asked where they are from, they respond with "Kansas." I think in two or three generations my great grandkids will probably say they're 5% Indian or something like that and fill in the other percentages with other nationalities if they acknowledge it at all. Tonight, in Manhattan we have an event with four women panelists for International Women's Day representing Ukraine, Afghanistan, Mexico and Morocco. Three of them have been in America less than two years and they will share their stories. I have spoken with them and one thing is very clear, they are grateful to be in the United States. They understand the challenges, but it's nothing compared to what they were facing in their own countries where they are not allowed to vote, get an education, leave their house without a male escort, or get a job. They lack many freedoms that we take for granted. These women have made tremendous sacrifices so their children will a better life than they did. I say all this to acknowledge International Women's Day and recognize that we intentionally choose the United States to be our home for a reason...for the freedom to think, to be who we want to be, to be innovative, to live our lives the way we may not be able to live them in other countries and to have the freedom to be decision makers. I hope we value the sacrifices made by our mothers, grandmothers and great-grandmothers. I am sure they never envisioned you in the seats you hold today. I know they would be proud of you. Let's recognize them and celebrate International Women's Day with pride and gratitude!

On motion of Senator Alley, the Senate recessed until the sound of the gavel.

The Senate met pursuant to recess with Vice President Wilborn in the chair.

COMMITTEE OF THE WHOLE

On motion of Senator Alley, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Peck in the chair.

On motion of Senator Peck the following report was adopted:

SB 244; HB 2238 be passed.

A motion by Senator Doll to amend **HB 2238** failed and the following amendment was rejected; on page 1, in line 25, by striking "elementary or"; in line 28, by striking "kindergarten" and inserting "seven"

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 11; Nays 24; Present and Passing 4; Absent or Not Voting 1.

Yeas: Bowers, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holscher, McGinn, Pettey, Pittman, Ware.

Nays: Alley, Baumgardner, Billinger, Blasi, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Present and Passing: Corson, Holland, Reddi, Sykes.

Absent or Not Voting: Longbine.

SB 53 be amended by the adoption of the committee amendments, and the bill be passed as amended.

MESSAGE FROM THE HOUSE

Announcing passage of **Sub HB 2077; HB 2083, HB 2144, HB 2344.**

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

Sub HB 2077; HB 2083, HB 2144, HB 2344 were thereupon introduced and read by title.

CHANGE OF REFERENCE

An objection having been made to **HB 2184, HB 2191** appearing on the Consent Calendar, the Vice President directed the bills be removed and placed on the calendar under the heading of General Orders.

Under the authority of the President, the Vice President withdrew **HB 2160** from the Committee on **Agriculture and Natural Resources** and referred the bill to the Committee on **Transportation**.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 127** be passed.

Also, **SB 55** be amended by substituting with a new bill to be designated as "Substitute for SENATE BILL NO. 55," as follows:

"Substitute for SENATE BILL NO. 55

By Committee on Assessment and Taxation

"AN ACT concerning property taxation; relating to exemptions; expanding and clarifying the exemption for Strother field airport property; amending K.S.A. 79-201r and repealing the existing section.";

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And the substitute bill be passed.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Thursday, March 9, 2023.

Journal of the Senate

FORTIETH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, March 9, 2023, 2:30 p.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 40 senators present.
Invocation by Reverend Cecil T. Washington:

Praying For What's Best
Haggai 2:8, James 1:17, 1 Kings 3:9-13

Heavenly Father, You have called us here to benefit Your people. And we have a serious need for our people to flourish, for our children, our grandchildren, our families and all to prosper. You said through the prophet Haggai (2:8) that all the silver and gold is Yours and in James 1:17 You said all the good favors come down from You.

So, Lord, we're asking for Your favors to fall fresh upon us here in Kansas. Like it was with King Solomon in 1 Kings 3:9-13 when he asked You for wisdom and understanding, in preference to material wealth. That's what You gave him. You made him wealthy in wisdom and understanding. You provided for him what no amount of money could produce, the ability to see things from Your perspective before making any of his decisions. Then You blessed him with material wealth and honor beyond measure.

Lord, we know we need adequate finances. Money is necessary for what we're doing. But would You regularly remind us to make the pursuit of Your wisdom and Your righteousness our priority? By Your Holy Spirit move us to be loving You, Your will and Your way over and above what the world has to offer because ultimately You are the Source, You are the Provider, to Your Glory and Honor, in Jesus' Name, I pray this prayer, Amen!

The Pledge of Allegiance was led by President Masterson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 307, AN ACT concerning the Kansas fights addiction act; relating to definitions; adding for-profit private entities to the definition of "qualified applicant"; amending K.S.A. 2022 Supp. 75-776 and repealing the existing section, by Committee on Ways and Means.

SB 308, AN ACT concerning public employees; relating to hiring and promotion preferences for state employment; providing for a preference for persons with a disability; expanding the veterans preference to include remarried spouses of a deceased

veteran who died while, and as a result of, serving in the armed forces and to include surviving spouses, whether remarried or not remarried of a prisoner of war; amending K.S.A. 73-201 and repealing the existing section, by Committee on Ways and Means.

SB 309, AN ACT concerning cities and counties; relating to reductions in local retailers' sales and compensating use tax revenues; local extraordinary needs grants; creating the fixing instant revenue shock for taxpayers fund and local extraordinary needs fund; authorizing certain transfers to and payments from such funds; establishing the joint committee on local extraordinary needs grants; providing powers, duties and restrictions in reviewing and approving capital expenditure project grants by such joint committee; abolishing the local ad valorem tax reduction fund; amending K.S.A. 65-163j, 65-3306, 65-3327, 75-2556, 79-1479 and 79-2965 and K.S.A. 2022 Supp. 74-8768 and repealing the existing sections; also repealing K.S.A. 19-2694, 79-2960, 79-2961 and 79-2962 and K.S.A. 2022 Supp. 79-2959, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 306**.

Commerce: **HB 2344**.

Education: **SB 304**.

Federal and State Affairs: **SB 303**.

Financial Institutions and Insurance: **SB 302**.

Judiciary: **HB 2144**.

Local Government: **HB 2083**.

Public Health and Welfare: **SB 305**.

Ways and Means: **Sub HB 2077**.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2002**, **HB 2201**, **HB 2229**, **HB 2304**

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2002, **HB 2201**, **HB 2229**, **HB 2304** were thereupon introduced and read by title.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 53, AN ACT concerning sales taxation; relating to exclusions from the sales or selling price; excluding manufacturers' coupons; amending K.S.A. 2022 Supp. 79-3602c and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Present and Passing: Francisco.

The bill passed, as amended.

SB 244, AN ACT concerning the attorney general; authorizing prosecution of any crime that is part of an alleged course of criminal conduct that occurred in two or more counties; amending K.S.A. 75-702 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 35; Nays 3; Present and Passing 2; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Doll, Sykes, Ware.

Present and Passing: Haley, Holland.

The bill passed.

EXPLANATION OF VOTE

I cannot in good conscience vote on legislation introduced by one of the Attorney General's top deputies, who has a clear – but bizarrely unrecognized – conflict of interest as a voting member of this body. This unspoken conflict calls into question the integrity of any policy introduced or promoted by the Attorney General. For this reason, I vote PASS on **SB 244**.—TOM HOLLAND

HB 2238, 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 of the act, was considered on final action.

On roll call, the vote was: Yeas 28; Nays 11; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Faust-Goudeau, Francisco, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Present and Passing: Haley.

The bill passed.

EXPLANATION OF VOTE

As I have said before.....I proudly support girls sports and I support the underlying intent of this bill.....**HB 2238**. I believe there is an important issue with this bill that needs to be addressed regarding including elementary students. Of the 18 states that have adopted a Fairness in Women's Sports Act, 8 of them have focused on Women's Sports at the secondary and post-secondary level and have not included elementary students for a very good reason. Elementary students are not a part of the KSHSAA. I still firmly believe that the practical implementation of this bill is problematic for our youngest students. I have drafted amendments and supported amendments that would remove these young children from this bill. My only goal was to protect those students from some potentially ugly unintended consequences regarding gender verification in

our local elementary schools. The argument that we must protect Title 9 and Title 9 includes elementary schools is not a valid one. Every school that accepts federal funds has to meet Title 9 guidelines and there are no high school activity association sports that would govern elementary schools. I am disappointed that this issue has been politicized to the point we cannot pass a common sense amendment to fix this flaw. I believe the people of the 20th Senate District sent me here to solve problems....not create more....and to make tough decisions. This is a tough decision.....but I must vote “NO” at this point in time.—BRENDA DIETRICH

I vote “NO” on **HB 2238**. Title IX states that “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.” I am concerned that **HB 2238** is not consistent with what I understand as a clear intent of this law to be inclusive. I do not believe there should be universal guidelines for transgender athletes in sports and instead rely on the experience and knowledge of our Kansas State High School Activities Association and the individual sports federations to continually evaluate and adopt their own conditions for inclusivity, fairness, and safety. It is unnecessary and confusing to reference students in grades K-6 in our public schools who are not participating in school sponsored sports competitions. —MARCI FRANCISCO

This is a bill that is not about fairness or women’s sports, it is about discrimination. This is an insult to female athletes. KSHSAA has in place a process that has worked well for our Kansas students and there have been NO transgender participant problems or complaints. This bill won’t have an impact on a fairness issue that doesn’t even exist. I vote “NO” on **HB 2238**.—Pat Pettey

The debates on this bill – combined with those on **SB 233** and **SB 180** just last month – have made clear what my colleagues have until now tried to hide behind the guise of “fairness:” the Kansas Senate’s top priority is to systematically dehumanize and isolate the trans community. It is shameful that we welcomed youth into this building this week and promised them to improve mental health outcomes in our state, and have now passed yet another bill harming their classmates. It is shameful that we spent International Women’s Day prohibiting women and girls from living authentically, fully, and vibrantly. Trans girls are girls, trans women are women, and we should all be ashamed to be a party to these vicious attacks on them. I know I am. I vote “NO.”
—DINAH SYKES

On motion of Senator Alley, the Senate recessed until the sound of the gavel.

The Senate met pursuant to recess with Vice President Wilborn in the chair.

COMMITTEE OF THE WHOLE

On motion of Senator Alley, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Baumgardner in the chair.

On motion of Senator Baumgardner the following report was adopted:

HB 2184 be amended by motion of Senator Wilborn; on page 2, in line 5, by striking "which" and inserting "that"; in line 24, by striking "which" and inserting "that"; and the bill be passed as amended.

SB 114 be amended by the adoption of the committee amendments, and the bill be passed as amended.

A motion by Senator Bowers to further amend **SB 114** failed and the following amendment was rejected; on page 1, following line 6, by inserting:

"New Section 1. (a) As used in sections 1 and 2, and amendments thereto:

(1) "Advanced recycling," "advanced recycling facility" and "secretary" mean the same as defined in K.S.A. 65-3402, and amendments thereto.

(2) "Financial responsibility mechanism" means a mechanism designed to demonstrate that sufficient funds will be available to meet specific environmental protection needs of solid waste management facilities and advanced recycling facilities. "Financial responsibility mechanism" includes, but is not limited to, insurance, trust funds, surety bonds, letters of credit, personal bonds, certificates of deposit, financial tests and corporate guarantees as determined by the secretary.

(b) The secretary shall establish a system of permits for advanced recycling facilities. Such permits shall be issued for a period of one year and shall require an application fee established by the secretary in an amount not exceeding \$250 per year.

(c) (1) An advanced recycling facility shall demonstrate financial responsibility prior to being issued a permit for the advanced recycling facility or prior to the advanced recycling facility being placed in operation. To demonstrate financial responsibility, the advanced recycling facility shall utilize a financial responsibility mechanism by:

(A) Establishing a cash trust fund under the control of the secretary; or

(B) obtaining a surety bond of which the secretary is the sole beneficiary.

(2) Any such financial responsibility mechanism utilized pursuant to this section shall be sufficient in form and amount not to exceed \$250,000 to meet all reasonably foreseeable costs of clean up, environmental remediation, firefighting, groundwater or surface water contamination, private property contamination, public health impacts, displacement and relocation of affected persons and any other reasonably foreseeable costs associated with the operation and management or abandonment of any pyrolysis and gasification facilities, including, but not limited to, the operation and storage of post-use polymer, plastic polymer or incidental contaminants or impurities.

(d) No person shall own or operate an advanced recycling facility unless such person holds a valid permit issued pursuant to this section.

(e) The secretary shall adopt rules and regulations:

(1) Establishing standards for advanced recycling facilities; and

(2) as necessary to administer and enforce the provisions of sections 1 and 2, and amendments thereto.

New Sec. 2. (a) There is hereby established in the state treasury the advanced recycling management fund.

(b) Money from the following sources shall be credited to the advanced recycling management fund:

(1) Permit application and renewal fees provided for by section 1, and amendments thereto;

(2) interest provided for by subsection (e);

(3) additional sources of funding, including, but not limited to, reimbursements and appropriations intended to be used for the purposes of the fund; and

(4) any other moneys provided by law.

(c) Moneys in the advanced recycling management fund shall be used only for the purpose of paying compensation and other expenses of employing personnel to carry out the duties of the secretary pursuant to section 1, and amendments thereto.

(d) All expenditures from the advanced recycling management 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.

(e) On or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the advanced recycling management fund interest earnings based on: (1) The average daily balance of moneys in the advanced recycling management fund for the preceding month; and (2) the net earnings rate for the pooled money investment portfolio for the preceding month.";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "authorizing the secretary of health and environment to regulate advanced recycling facilities; establishing the advanced recycling management fund;"

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 15; Nays 21; Present and Passing 2; Absent or Not Voting 2.

Yeas: Blasi, Bowers, Dietrich, Doll, Haley, Holland, Holscher, Kerschen, McGinn, Olson, Pyle, Reddi, Straub, Tyson, Ware.

Nays: Alley, Claeys, Corson, Erickson, Fagg, Francisco, Gossage, Kloos, Longbine, O'Shea, Peck, Petersen, Pettey, Pittman, Ryckman, Shallenburger, Steffen, Sykes, Thompson, Warren, Wilborn.

Present and Passing: Baumgardner, Billinger.

Absent or Not Voting: Faust-Goudeau, Masterson.

A motion by Senator Francisco to amend **SB 114** failed.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Alley an emergency was declared by a 2/3 constitutional majority, and **SB 114**; **HB 2184** were advanced to Final Action and roll call.

SB 114, AN ACT concerning solid waste; relating to advanced recycling; creating definitions for "advanced recycling" and related terms; separating advanced recycling from the current solid waste management system; amending K.S.A. 65-3402 and repealing the existing section.

On roll call, the vote was: Yeas 28; Nays 10; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Francisco, Gossage, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Petersen, Pittman, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Warren, Wilborn.

Nays: Bowers, Haley, Holland, Holscher, Kerschen, Olson, Pyle, Reddi, Tyson, Ware.

Absent or Not Voting: Faust-Goudeau, Pettey.

The bill passed, as amended.

HB 2184, AN ACT concerning the judicial council; abolishing the judicial council fund; transferring all moneys and liabilities of such fund to the state general fund; repealing the transfer of funds from docket fees to the judicial council fund; transferring annually unencumbered funds from the publications fee fund to the state general fund; amending K.S.A. 2022 Supp. 20-362, 20-2207 and 20-2208 and repealing the existing sections.

On roll call, the vote was: Yeas 35; Nays 3; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pittman, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Pyle, Steffen, Tyson.

Absent or Not Voting: Faust-Goudeau, Pettey.

The bill passed, as amended.

REPORTS OF STANDING COMMITTEES

Committee on **Education** recommends **HB 2080**, **HB 2322** be passed.

Committee on **Transportation** recommends **HB 2014** be amended on page 1, in line 14, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

REPORT ON ENROLLED BILLS

SR 1713 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on March 9, 2023.

On motion of Senator Alley, the Senate adjourned pro forma until 9:00 a.m., Friday, March 10, 2023

Journal of the Senate

FORTY-FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, March 10, 2023, 9:00 a.m.

The Senate was called to order pro forma by Senator Mike Petersen.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **HB 2002, HB 2201, HB 2229.**

Federal and State Affairs: **HB 2304.**

Ways and Means: **SB 307, SB 308, SB 309.**

TRIBUTES

The Committee on **Organization, Calendar, and Rules** authorizes the following tributes for the week of March 6 through March 10, 2023:

Senator Bowers: celebrating Julia Brower's 90th Birthday, celebrating Marjorie Hartsel's 100th Birthday;

Senator Haley: celebrating Marion Louise Townsend Parker's 100th Birthday;

Senator Holscher: commending LeAnne Stowe on her service to the community and the State of Kansas; and

Senator Steffen: extending recognition to Anya Fuller on her recent naturalization ceremony.

On motion of Senator Kloos, the Senate adjourned until 2:30 p.m., Monday, March 13, 2023.

Journal of the Senate

FORTY-SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, March 13, 2023, 2:30 p.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 35 senators present.
Senators Claeys, Longbine, McGinn, Pyle and Ware were excused.
Invocation by Dave DePue, Guest Chaplain:

Almighty God, we come before You today, weary with the many challenges facing our nation and our state. There are difficult decisions to be made on the bills listed in our senate calendar. These address energy, health care, taxes, education and crime.

Now, Lord, we thank You for sending each of these senators to serve the people of Kansas. We thank You for raising up Senate President Ty Masterson and Senate Minority Leader Dinah Sykes, our leaders.

Our prayer today is for an extra portion of wisdom according to Your promise in James Chapter One, Verse five. Please give each of us a glimpse of the legacy we are leaving during our days on earth. Honor the work of these our senators and those on staff here.

I pray this in the name of Jesus, Amen!

The Pledge of Allegiance was led by President Masterson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

SB 310, AN ACT concerning health and healthcare; relating to medical cannabis; creating the medical cannabis regulation act; providing for licensure and regulation of the cultivation, processing, distribution, sale and use of medical cannabis; delegating administrative duties and functions to the secretary of health and environment, secretary of revenue, board of healing arts, board of pharmacy and the director of alcohol and cannabis control; imposing fines and penalties for violations of the act; establishing the medical cannabis registration fund, the medical cannabis business regulation fund and the retail dispensary consultant registration fee fund; creating the crimes of unlawful storage and unlawful transport of medical cannabis; making exceptions to the crimes of unlawful manufacture and possession of controlled substances; amending K.S.A. 38-2269, 41-201, 44-501, 44-706, 44-1009, 44-1015, 79-5201 and 79-5210 and K.S.A. 2022 Supp. 19-101a, 21-5703, 21-5705, 21-5706, 21-5707, 21-5709, 21-5710, 21-6607, 22-3717 and 23-3201 and repealing the existing sections, by Committee on Federal and State Affairs.

MESSAGES FROM THE GOVERNOR

SB 11, SB 39 approved on March 13, 2023

The following appointment made by the Governor and submitted to the Senate for confirmation was introduced and the appointment letter was read:

Adam Proffitt, Secretary, Kansas Department of Administration, (Submitted February 20, 2023)

REFERENCE OF APPOINTMENTS

The following appointment made by the Governor and submitted to the Senate for confirmation, was referred to Committee as indicated:

Secretary, Department of Administration:

Adam Proffitt, to serve at the pleasure of the governor.
(Committee on Ways and Means)

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2026, HB 2106**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2026, HB 2106 were thereupon introduced and read by title.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2332** 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 **Ways and Means** recommends **SB 155** be amended by substituting with a new bill to be designated as "Substitute for SENATE BILL NO. 155," as follows:

"Substitute for SENATE BILL NO. 155

By Committee on Ways and Means

"AN ACT making and concerning appropriations for the fiscal years ending June 30, 2023, June 30, 2024, June 30, 2025, and June 30, 2026, 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. 2-223, 12-1775a and 12-5256 and K.S.A. 2022 Supp. 65-180, 72-5462, 74-50,107, 74-8711, 74-99b34, 75-2263, 75-6707, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171 and 79-4804 and repealing the existing sections.";

And the substitute bill be passed.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Tuesday, March 14, 2023.

Journal of the Senate

FORTY-THIRD DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, March 14, 2023, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilbon.
The roll was called with 36 senators present.
Senators Claeys, Longbine, McGinn and Pyle were excused.
Invocation by David DePue:

God Almighty, thank You for this sun-filled Kansas day. Thank You for each of these senators chosen by their communities, as You directed Moses in the formation of the first civil government. Lord, You have granted wisdom to each of these leaders. My prayer is for an even greater portion of understanding as they empower people and programs.

And Lord, today we are blessed to honor these master teachers, chosen by their colleagues to receive the honor to whom honor is due as directed in Romans 13:7. Please continue blessing the many children in their care. This I pray in Jesus' name, Amen!

The Pledge of Allegiance was led by Vice President Rick Wilborn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 311, AN ACT concerning property taxation; relating to valuation; excluding internal revenue code section 1031 exchange transactions as indicators of fair market value; amending K.S.A. 79-503a and repealing the existing section, by Committee on Assessment and Taxation.

SB 312, AN ACT concerning the power of eminent domain; relating to the exercise thereof by certain public utilities; requiring approval of the board of county commissioners prior to the exercise thereof; amending K.S.A. 26-101, 26-501b, 26-502 and 26-516 and repealing the existing sections, by Committee on Assessment and Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **HB 2026**, **HB 2106**.

Federal and State Affairs: **SB 310**.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Longbine introduced the following Senate resolution, which was read:
SENATE RESOLUTION No. 1714—

A RESOLUTION congratulating and commending the 2023 Kansas Master Teachers.

WHEREAS, Seven of Kansas' best teachers have been selected as Kansas Master Teachers for 2023; and

WHEREAS, Local teacher associations, educational organizations and school faculties nominate candidates for the awards. A committee representing educational organizations from across Kansas selected the 2023 winners; and

WHEREAS, The 2023 Kansas Master Teachers are Kristen Anderson, a fifth grade teacher at North Fairview Elementary School in Seaman, USD 345; Kirstin Bangerter, an English teacher at Dodge City High School in Dodge City, USD 443; Jerald Braun, a gifted education teacher at Hays Middle School and High School in Hays, USD 489; Matt Christensen, a social studies teacher at Blue Valley Southwest High School in Blue Valley Schools, USD 229; Melissa Hall, a STEM/technology teacher at Fort Riley Middle School in Geary County, USD 475; Martha MacKay, a physical science teacher at Emporia High School in Emporia, USD 253; and Maggie Wolken, a kindergarten teacher at Chanute Elementary School in Chanute, USD 413; and

WHEREAS, Emporia State University established the Kansas Master Teacher Awards in 1953; and

WHEREAS, The awards are presented annually to teachers who have served the profession long and who also exemplify the outstanding qualities of earnest and conscientious teachers; and

WHEREAS, Since 1980, Bank of America has pledged more than \$100,000 to permanently endow the Kansas Master Teacher Awards; and

WHEREAS, In 1984, the Black family of Broken Arrow, Oklahoma, established an endowed chair for Kansas Master Teachers; and

WHEREAS, The fund provides a stipend to bring two Master Teachers to Emporia State University for part of a semester during which they present to classes of education students; and

WHEREAS, The members of the Senate of the State of Kansas recognize the invaluable contributions of great teachers such as those being honored today; and

WHEREAS, These 2023 Master Teachers serve as mentors and role models and lay the groundwork for the best educators of tomorrow. They go above and beyond what is expected and offer inspiration, as well as instruction. They teach with heart and soul, and by giving the best of themselves, they encourage students to give their best in return: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the 2023 Kansas Master Teachers for demonstrating excellence in their profession and devotion to the children of Kansas; and

Be it further resolved: That we offer heartfelt thanks to these extraordinary educators who face so many challenges in the classroom each day, yet persevere, choosing the satisfaction of doing their best and overcoming the frustrations inherent in their jobs, and we extend our best wishes for their continued success and happiness; and

Be it further resolved: That the Secretary of the Senate shall send seven enrolled

copies of this resolution to Senator Longbine.

On emergency motion of Senator Baumgardner **SR 1714** was adopted by voice vote.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **SCR 1607** be adopted.

Committee on **Judiciary** recommends **HB 2015** be amended on page 2, in line 3, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Also, **HB 2065**, as Amended by House Committee (Corrected), be amended on page 1, in line 20, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

HB 2131 be amended on page 1, in line 17, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

HB 2214 be amended on page 3, in line 4, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Public Health and Welfare** recommends **HB 2024**, As Further Amended by House Committee, be amended on page 7, in line 41, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Also, **HB 2262** 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 2020** be amended on page 1, in line 25, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Wednesday, March 15, 2023.

Journal of the Senate

FORTY-FOURTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, March 15, 2023, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 37 senators present.
Senators Claeys, Kerschen and McGinn were excused.
Invocation by David DePue.

Almighty God, we gather here today to do Your business as we serve the people of Kansas. We ask You to bless our processes and our outcomes. Please give us a boost of wisdom and discernment as we work through the calendar of bills today. I pray this in the Name of Jesus. Amen

The Pledge of Allegiance was led by Vice President Wilborn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 313, AN ACT concerning income taxation; relating to the salt parity act; clarifying the determination of taxable income of an electing pass-through entity; providing for the passing through of tax credits to electing pass-through entity owners; amending K.S.A. 2022 Supp. 79-32,287 and repealing the existing section, by Committee on Assessment and Taxation.

SB 314, AN ACT concerning public health; relating to immunizations; prohibiting the secretary of health and environment from requiring a COVID-19 vaccination to attend at a child care facility or school; amending K.S.A. 65-508 and 72-6262 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 315, AN ACT concerning public health; relating to vaccinations; requirements to attend child care facilities and elementary, secondary and public or private postsecondary educational institutions; prohibiting an inquiry into the sincerity of a request for an exemption from vaccine requirements; repealing the meningitis vaccine requirement to live in student housing; amending K.S.A. 65-508 and 72-6262 and K.S.A. 2022 Supp. 44-663 and repealing the existing sections; also repealing K.S.A. 76-761a, by Committee on Federal and State Affairs.

SCR 1610—A PROPOSITION to amend section 1 of article 11 of the constitution of the state of Kansas; relating to property taxation; limiting valuation increases for real property.

Be it resolved by the Legislature of the State of Kansas, two-thirds of the

members elected (or appointed) and qualified to the Senate and two-thirds of the members elected (or appointed) and qualified to the House of Representatives 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~~ 2025, 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 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.

The valuation of any real property shall not increase by more than 3% in any taxable year except when:

- (1) The property includes new construction or improvements have been made to the property;
- (2) the class or subclass of the property changes for assessment rate purposes;
- (3) the property becomes disqualified from exemption;
- (4) the property is first listed as escaped or omitted property; or
- (5) the legal description of the land, lot or parcel changes, except that the total valuation of all property affected by a legal description change shall not exceed the total valuation of the affected property for the previous year by more than 3%.

The legislature may define new construction or improvements by law and enact such other legislation as is necessary to administer this provision.

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 lots12%

(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 subclassified30%

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, 198530%

(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 property25%

(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 limit annual valuation increases to 3% for real property for purposes of property taxation except when the property includes new construction or improvements have been made to the property, the class or subclass of the property changes, the property becomes disqualified from exemption, the property is first listed as escaped or omitted property or the legal description of the property changes.

"A vote for this proposition would limit annual valuation increases to 3% for real property except when the property includes new construction or improvements have been made to the property, the class or subclass of the property changes, the property becomes disqualified from exemption, the property is first listed as escaped or omitted property or the legal description of the property changes. The amendment would also authorize the legislature to define new construction or improvements and to enact such other legislation as is necessary to administer the provision.

"A vote against this proposition would provide no change to the Kansas constitution."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the Senate and two-thirds of the members elected (or appointed) and qualified to the House of Representatives, 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 2024, 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:

Assessment and Taxation: **SB 311**.

Local Government: **SB 312**.

COMMUNICATIONS FROM STATE OFFICERS

The following report was submitted to the Senate and is on file with the Secretary of the Senate:

State Fire Marshal Annual Report (March 14, 2023)

MESSAGE FROM THE HOUSE

Announcing passage of **SB 83**, as amended by **H Sub SB 83**.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Doll introduced the following Senate resolution, which was read:
SENATE RESOLUTION No. 1715—

A RESOLUTION honoring Real Men Real Leaders
for their outstanding service to the Garden City, Kansas community.

WHEREAS, Real Men Real Leaders (RMRLs), founded in 2009, is a program for 5th and 6th grade male students in the school district of Garden City, Kansas; and

WHEREAS, RMRLs after-school program began in 2012 and has served over 250 students; and

WHEREAS, Through weekly after-school leadership teaching sessions, RMRLs students are introduced to educational and career opportunities, community leaders and role models; and

WHEREAS, RMRLs provides a summer program for students to raise awareness of the dangers of alcohol, vaping and tobacco; and

WHEREAS, The 5th grade students are challenged to complete lessons related to the five core values of RMRLs: Leadership, Personal Management, Family, Communication and Citizenship; and

WHEREAS, The 6th grade students are challenged to complete lesson plans related to the government, private, public and social sectors; and

WHEREAS, After the students complete their respective programs, they graduate from the RMRLs program and are awarded challenge coins at the RMRLs annual banquet; and

WHEREAS, RMRLs students have volunteered over 1,000 hours; and

WHEREAS, RMRLs is the only leadership program of its kind in Kansas:
Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we honor Real Men Real Leaders for their outstanding service to the Garden City, Kansas community; and

Be it further resolved: That we send our best wishes to Real Men Real Leaders as the organization looks to expand to communities throughout the State of Kansas; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Senator Doll.

On emergency motion of Senator Doll **SR 1715** was adopted by voice vote.

On motion of Senator Alley the Senate recessed to the sound of the gavel.

The Senate met pursuant to recess with Vice President Wilborn in the chair.

COMMITTEE OF THE WHOLE

On motion of Senator Alley, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Dietrich in the chair.

On motion of Senator Dietrich the following report was adopted:

SB 127 be passed.

HB 2014 be amended by the adoption of the committee amendments, and the bill be passed as amended.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Alley an emergency was declared by a 2/3 constitutional majority, and **SB 127**; **HB 2014** were advanced to Final Action and roll call.

SB 127, AN ACT concerning sales and compensating use tax; relating to city and countywide retailers' sales tax; providing countywide retailers' sales tax authority for Dickinson county; amending K.S.A. 12-187, 12-189 and 12-192 and repealing the existing sections.

On roll call, the vote was: Yeas 35; Nays 1; Present and Passing 0; Absent or Not Voting 4.

Yeas: Alley, Baumgardner, Blasi, Bowers, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kloos, Longbine, Masterson, O'Shea, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Olson.

Absent or Not Voting: Billinger, Claeys, Kerschen, McGinn.

The bill passed.

HB 2014, AN ACT concerning roads and highways; designating a portion of United States highway 69 in Crawford county as the Robert Lessen memorial highway.

On roll call, the vote was: Yeas 36; Nays 0; Present and Passing 0; Absent or Not Voting 4.

Yeas: Alley, Baumgardner, Blasi, Bowers, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Billinger, Claeys, Kerschen, McGinn.

The bill passed, as amended.

EXPLANATION OF VOTE

I vote "YES" on **HB 2014**. Robert Lessen was a pillar of the community of Arma. A graduate of Arma High School and Pittsburg State University, Mr. Lessen represents the values of work and dedication to his family and community. He was a veteran of WWII and the Korean War. He owned Fox Insurance. Robert was a member of the Arma United Methodist Church,

Masonic Lodge #408, Eagles Lodge, past commander of the Lon Helm Post #182 American Legion, board member of Elm Acres youth home, Arma city councilman and Mayor. I am proud to be able to support the effort to name a small portion of US 69 Highway as the Robert Lessen Memorial Highway. It is fitting that we do this.—TIM SHALLENBURGER

REPORTS OF STANDING COMMITTEES

Committee on **Education** recommends **HB 2375** be amended on page 7, in line 5, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 291** be amended on page 1, in line 20, by striking "5" and inserting "7";

On page 2, in line 25, after "fiduciary" by inserting ", specifically on assets managed on behalf of the system"; in line 43, after "requires" by inserting ", specifically on assets managed on behalf of the system";

On page 4, in line 13, after "factors" by inserting ", in which case the system may grant proxy voting authority to such person"; in line 19, after "system" by inserting ", in which case the system may engage a proxy voting advisor"; in line 26, after "system" by inserting ", in which case the system may entrust engagement and share voting to a fiduciary"; in line 32, after "factors" by inserting ", in which case the investment manager or contractor may follow the recommendations of a proxy or other service advisor"; in line 34, by striking "legislative coordinating council" and inserting "joint committee on pensions, investments and benefits"; following line 38, by inserting:

"(j) Subsections (e) through (i) shall apply only to assets managed on behalf of the system and shall not apply to alternative or real estate investments as defined in K.S.A. 74-4921(5), and amendments thereto.;"

On page 5, in line 7, after "thereto," by inserting "prior to investing any moneys owned by a client,;" also in line 7, by striking all after "shall"; by striking all in lines 8 through 26; in line 27, by striking all before the period and inserting "obtain written consent from such client stating that the client is fully aware of and consents to the investment of moneys owned by the client or through any mutual fund, actively or passively managed equity fund, company or financial institution that is using environmental, social and governance criteria. Such written consent need only be obtained a single time from the client. Such written consent shall consist of the following disclosure:

"The institution managing this fund is using environmental, social and governance (ESG) criteria. If such ESG criteria is used in managing your fund, these ESG criteria may impact the fund's returns compared to the fund's historical performance or the performance of funds that do not use ESG criteria. You may have the option to choose a similar fund that does not use ESG criteria. By signing below, you consent to have your investment managed by this institution even if the institution uses ESG criteria that may impact your returns compared to historical performance or other funds."

(b) Conduct prohibited by this section shall be considered an act, practice or course of business that operates or would operate as a fraud or deceit in accordance with K.S.A. 17-12a502, and amendments thereto.

(c) Nothing in this section shall be construed to establish any requirements for registration, capital, custody, margin, financial responsibility, making and keeping of records, bonding or financial or operational reporting for a registered investment adviser that differ from the requirements established under federal law to the extent that such requirements are applicable to the registered investment adviser. The requirements of this section shall not apply to annuities managed by an insurance company.

(d) The provisions of this section, or any contract or practice subject to this section, may be enforced by the attorney general. The attorney general may investigate possible violations of this section in accordance with the provisions of K.S.A. 50-631, and amendments thereto";

Also on page 5, following line 43, by inserting:

"New Sec. 7. In a cause of action based on an action, inaction, decision, divestment, investment, report or other determination made or taken in compliance with this act, without regard to whether the person performed services for compensation, the state shall indemnify and hold harmless for actual damages, court costs and attorney fees adjudged against, and defend the system and any of its current and former employees, members of the board or any other officers of the system related to the act or omission on which the damages are based.";

And by renumbering sections accordingly;

On page 1, in the title, in line 12, by striking all after "to"; by striking lines 13 and 14; in line 15, by striking all before the semicolon and inserting "obtain written consent from clients prior to investing client moneys in investments using environmental, social and governance criteria"; in line 16, after the semicolon by inserting "indemnifying the Kansas public employees retirement system with respect to actions taken in compliance with such act;"; and the bill be passed as amended.

Committee on **Financial Institutions and Insurance** recommends **HB 2198** be passed.

Also, **HB 2089** be amended on page 1, in line 35, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

HB 2090 be amended on page 5, in line 41, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

HB 2093 be amended on page 2, in line 15, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

HB 2094 be amended on page 3, in line 43, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

HB 2096 be amended on page 2, in line 3, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

HB 2097 be amended on page 1, in line 35, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

HB 2098 be amended on page 2, in line 31, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

HB 2100 be amended on page 2, in line 31, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

HB 2196 be amended on page 2, in line 20, by striking "statute book" and

inserting "Kansas register"; and the bill be passed as amended.

HB 2284 be amended on page 1, in line 33, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

HB 2285 be amended on page 9, in line 13, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Public Health and Welfare** recommends **HB 2034**, As Amended by House Committee of the Whole, be amended on page 2, in line 21, by striking all after "rate"; in line 22, by striking all before the first "for" and inserting "not to exceed \$750"; following line 24, by inserting:

"(4) If a provider is found to have submitted fraudulent charges, such provider shall be banned from the CARE network and the secretary of health and environment shall report such incident to the provider's licensing board. Such licensing board shall investigate such report to determine whether unprofessional conduct has occurred."; and the bill be passed as amended.

Your Committee on **Transparency and Ethics** begs leave to submit the following report:

The following appointment was referred to and considered by the committee and your committee recommends that the Senate approve and consent to such appointment:

By the Governor:

Executive Director, Kansas State Historical Society: K.S.A. 75-2701

Patrick Zollner, to serve at the pleasure of the Governor

Transportation recommends **SB 271** be amended on page 1, in line 31, after the period by inserting "The provisions of this section shall expire and have no effect on and after July 1, 2027."; in line 34, after "sidings" by inserting "if such railroad crossing does not have electronic warning signals";

On page 2, in line 4, by striking all after "officer"; in line 5, by striking all before "may"; and the bill be passed as amended.

Committee on **Utilities** recommends **HB 2226** be passed.

CONSIDERATIONS OF MOTIONS TO CONCUR OR NONCONCUR

Senator Sykes moved the Senate nonconcur in House amendments to **H Sub SB 83**.

Senator Masterson offered a substitute motion to nonconcur and that a conference committee be appointed on **H Sub SB 83**.

On motion of Senator Pyle, the Senate adjourned until 2:30 p.m., Thursday, March 16, 2023.

Journal of the Senate

FORTY-FIFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, March 16, 2023, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 36 senators present.
Senators Claeys, Kerschen, McGinn and Shallenburger were excused.
Invocation by David DePue:

Almighty God, here we are on the eve of St. Patrick's Day. I ask You to bless the work of these Kansas Senators, wrapping up work on the state budget. Following Solomon's plea to look out for the poor, taxing in proportion to wealth, obeying Jesus' admonition to collect from each only what is due, administering with honest weights and measures and paying fair wages to the workers.

Lord, please grant each of these senators with a portion of the legacy that You gave to the patron Saint Patrick. Let us remember them for their life commitment and leadership today, as well as all their days of service to the people of Kansas. I pray this in the name of Jesus. Amen!

The Pledge of Allegiance was led by Vice President Wilborn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 316, AN ACT concerning postsecondary education; relating to the comprehensive grant program; authorizing the state treasurer to administer the comprehensive grant program for not-for-profit independent institutions of higher education; amending K.S.A. 74-32,120, 74-32,121, 74-32,122, 74-32,123, 74-32,124 and 74-32,125 and repealing the existing sections, by Committee on Ways and Means.

SB 317, AN ACT concerning childhood sexual abuse; permitting a prosecution for childhood sexual abuse to be commenced at any time; providing exceptions in the Kansas tort claims act for claims arising from childhood sexual abuse; extending the time to file civil actions for recovery of damages caused by childhood sexual abuse; amending K.S.A. 12-105b, 75-6104 and 75-6105 and K.S.A. 2022 Supp. 21-5107 and 60-523 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 318, AN ACT concerning municipal courts; relating to fingerprinting; removing the requirement to collect fingerprints from persons convicted of violating certain municipal ordinance provisions related to vehicle registration or driving without a valid driver's license or motor vehicle liability insurance coverage; amending K.S.A. 12-4517 and repealing the existing section, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **SB 313; SCR 1610.**

Public Health and Welfare: **SB 314, SB 315.**

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator O'Shea introduced the following Senate resolution, which was read:
SENATE RESOLUTION No. 1716—

A RESOLUTION commemorating the celebration of St. Patrick's Day.

WHEREAS, On March 17, during the annual celebration of the Feast of Saint Patrick, the patron saint of Ireland, Irish Americans join with people of all other ethnic origins in celebrating Saint Patrick and demonstrating a mutual love for Ireland; and

WHEREAS, On Saint Patrick's Day, all who celebrate live in the spirit of Saint Patrick, Saint Bridget and Saint Colmcille, the latter of whose 1500th birthday was celebrated in 2020; and

WHEREAS, Irish immigrants in the United States helped form the cultural foundation of the nation, and those of Irish lineage today proudly sing support for Ireland; and

WHEREAS, We celebrate the establishment of the American Irish State Legislators Caucus, which has leadership in all 50 states, and we applaud its aim of fostering and strengthening the longstanding relationship between the United States and Ireland for the mutual benefit of both countries; and

WHEREAS, The Senate of Ireland celebrates its 101st anniversary this year; and

WHEREAS, The songs of Ireland are the tragic songs of love, the joyous songs of battle, the nostalgic reveries of the sorrows and glories that are the Emerald Isle, the lamentations of life's myriad travails and the odes to joy in the life eternal: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we commemorate the celebration of the Feast of Saint Patrick, the patron saint of Ireland; and

Be it further resolved: That we honor the Good Friday Agreement, on the 25th anniversary of its ratification, as the framework for lasting peace in Northern Ireland; and

Be it further resolved: That the Secretary of the Senate shall send each an enrolled copy of this resolution to the Chair of the American Irish State Legislature Caucus, Senator Mark Daly, the 24th Chair of the Senate of Ireland and Senator O'Shea.

On emergency motion of Senator O'Shea **SR 1716** was adopted by voice vote.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator Masterson the Senate nonconcurred in House amendments to **H Sub SB 83** and requested a conference committee be appointed.

The Vice President appointed Senators Baumgardner, Erickson and Sykes as a conference committee on the part of the Senate.

Senator Sykes moved the Senate concur in House amendments to **H Sub SB 83.**

The chairperson stated the motion to concur was not in order.

The Subcommittee on Rules convened to consider the motion to concur and ruled the motion was not in order.

The ruling of the chair was challenged. Following a division vote, the ruling was sustained.

COMMITTEE OF THE WHOLE

On motion of Senator Alley, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Erickson in the chair.

On motion of Senator Erickson the following report was adopted:

The committee report on **SB 155** recommending **Sub SB 155** be adopted, be amended by motion of Senator Blasi; on page 127, in line 33, by adding \$1,800,000 to the dollar amount and by adjusting the dollar amount in line 33 accordingly;

On page 291, in line 19, by subtracting \$1,800,000 from the dollar amount and by adjusting the dollar amount in line 19 accordingly

Sub SB 155 be further amended by motion of Senator Tyson; on page 269, following line 8, by inserting:

"Sec. 126. (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 2023 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 2024 as authorized by this or other appropriation act of the 2023 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 2024 to enroll and actively participate in e-verify for verification of employment eligibility of all employees whose employment commences after January 1, 2024.

(b) During the fiscal year ending June 30, 2024, no state agency named in this or other appropriation act of the 2023 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 2024 as authorized by this or other appropriation act of the 2023 regular session of the legislature for such state agency as authorized by this or other appropriation act of the 2023 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 2023 or 2024 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 2025 as authorized by this or other appropriation act of the 2023 or 2024 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 2025 to enroll and actively participate in e-verify for verification of employment status of all employees whose employment commences during fiscal year 2025.

(d) During the fiscal year ending June 30, 2025, no state agency named in this or other appropriation act of the 2023 or 2024 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 2025 as authorized by this or other appropriation act of the 2023 or 2024 regular session of the legislature for such state agency as authorized by this or other appropriation act of the 2023 or 2024 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 employment services 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 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.";

And by renumbering sections accordingly

Sub SB 155 be further amended by motion of Senator Pettey; on page 125, following line 42, by inserting:

"(j) During the fiscal year ending June 30, 2023, notwithstanding the provisions of

K.S.A. 39-2019, and amendments thereto, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2023 as authorized by section 74 of chapter 81 or section 28 of chapter 97 of the 2022 Session Laws of Kansas, this or any other appropriation act of the 2023 regular session of the legislature, the above agency shall make expenditures from such moneys for the purpose of certifying community behavioral health clinics when such clinics are ready and meet the requirements for certification in advance of the deadlines established in K.S.A. 39-2019, and amendments thereto.";

On page 142, following line 28, by inserting:

"(v) During the fiscal year ending June 30, 2024, notwithstanding the provisions of K.S.A. 39-2019, and amendments thereto, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 as authorized by this or any other appropriation act of the 2023 regular session of the legislature, the above agency shall make expenditures from such moneys for the purpose of certifying community behavioral health clinics when such clinics are ready and meet the requirements for certification in advance of the deadlines established in K.S.A. 39-2019, and amendments thereto."

Sub SB 155 be further amended by motion of Senator Tyson; on page 269, following line 8, by inserting:

"Sec. 126. (a) Except as provided in subsection (c), on July 1, 2023, of each amount appropriated for a state agency for the fiscal year ending June 30, 2024, by chapter 81 or chapter 97 of the 2022 Session Laws of Kansas, this act or other appropriation act of the 2023 regular session of the legislature from the state general fund, the sum equal to 3.25% of such appropriation that is not exempt is hereby lapsed.

(b) Except as provided in subsection (c), on July 1, 2023, of each amount reappropriated for a state agency for the fiscal year ending June 30, 2024, by chapter 81 or chapter 97 of the 2022 Session Laws of Kansas, this act or other appropriation act of the 2023 regular session of the legislature from the state general fund, the sum equal to 3.25% of such reappropriation that is not exempt is hereby lapsed.

(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 2024 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 2024 for the following state agencies: Department of corrections, adjutant general, state fire marshal, Kansas highway patrol, attorney general – Kansas bureau of investigation, emergency medical services board, Kansas sentencing commission and Kansas commission on peace officers' standards and training;

(3) any item of appropriation or reappropriation from the state general fund for fiscal year 2024 for the Kansas state school for the deaf, Kansas state school for the blind and the department of education; and

(4) any item of appropriation or reappropriation from the state general fund for fiscal year 2024 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. At the same time that any certification is made by the director of the budget to the director of accounts and reports under this section, the director of the budget shall deliver a copy of such certification to the director of legislative research.";

And by renumber remaining sections accordingly

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 17; Nays 9; Present and Passing 6; Absent or Not Voting 8.

Yeas: Alley, Baumgardner, Blasi, Bowers, Erickson, Fagg, Gossage, Kloos, O'Shea, Peck, Petersen, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Francisco, Holland, Holscher, Longbine, Pettey, Pittman, Reddi, Sykes.

Present and Passing: Billinger, Dietrich, Haley, Olson, Pyle, Ryckman.

Absent or Not Voting: Claeys, Doll, Faust-Goudeau, Kerschen, Masterson, McGinn, Shallenburger, Ware.

Sub SB 155 be further amended by motion of Senator Tyson; on page 269, following line 8, by inserting:

"Sec. 126. (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 2023 regular session of the legislature from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2024 as authorized by this or other appropriation act of the 2023 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 2024 to implement and accomplish the following objectives on or before October 1, 2023, 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 and 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, 2023, 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 5% of moneys appropriated or reappropriated for such state agency for the fiscal year ending June 30, 2024, by this or other appropriation act of the 2023 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 2023 or 2024 regular session of the legislature from the moneys appropriated from the state general fund or from any special revenue fund for fiscal year 2025 as authorized by this or other appropriation act of the 2023 or 2024 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 2025 to implement and accomplish the following objectives on or before October 1, 2024, 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 and 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, 2024, 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 5% of moneys appropriated or reappropriated for such state agency for the fiscal year ending June 30, 2025, by this or other appropriation act of the 2023 or 2024 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 2024 or fiscal year 2025 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 2024 or fiscal year 2025 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 2024 or fiscal year 2025 for a postsecondary educational institution that has implemented the performance agreement pursuant to K.S.A. 74-3202d, and amendments thereto.";

And by renumber remaining sections accordingly and **Sub SB 155** be passed as amended.

A motion by Senator Reddi to further amend **Sub SB 155** failed and the following amendment was rejected; on page 204, by striking all in lines 13 through 35;

On page 207, by striking all in lines 10 through 32

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 11; Nays 25; Present and Passing 0; Absent or Not Voting 4.

Yeas: Corson, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Nays: Alley, Baumgardner, Billinger, Blasi, Bowers, Dietrich, Doll, Erickson, Fagg, Gossage, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: Claeys, Kerschen, McGinn, Shallenburger.

A motion by Senator Pittman to further amend **Sub SB 155** failed and the following amendment was rejected; on page 113, in line 12, by subtracting \$71,458,209 from the dollar amount and by adjusting the dollar amount in line 12 accordingly;

On page 114, in line 10, by adding \$2,200,000 to the dollar amount and by adjusting the dollar amount in line 10 accordingly;

On page 116, following line 7, by inserting:

"(h) During the fiscal year ending June 30, 2024, 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 2024 by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by such agency from such moneys to prepare and submit to the United States centers for medicare and medicaid services any approval request necessary to provide eligibility for the receipt of medical assistance benefits and, commencing on January 1, 2024, to provide such eligibility to individuals who are adults under 65 years of age, who are not pregnant and whose household modified adjusted gross income does not exceed 138% of the federal poverty guidelines to the extent permitted under 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.";

On page 269, following line 15, by inserting:

"Sec. 127.

STATE FINANCE COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

State employee pay increase.....\$65,500,000

Provided, That all moneys in the state employee pay increase account shall be used for the purpose of paying the proportionate share of the cost to the state general fund of the salary increase, including associated employer contributions, during fiscal year 2024.

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2024, the following:

State employee pay increase.....\$766,376

Provided, That all moneys in the state employee pay increase account shall be used for the purpose of paying the proportionate share of the cost to the state economic development initiatives fund of the salary increase, including associated employer contributions, during fiscal year 2024.

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2024, the following:

State employee pay increase.....\$80,742

Provided, That all moneys in the state employee pay increase account shall be used for the purpose of paying the proportionate share of the cost to the state water plan fund of the salary increase, including associated employer contributions, during fiscal year 2024.

(d) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2024, the following:

State employee pay increase.....\$9,912

Provided, That all moneys in the state employee pay increase account shall be used for the purpose of paying the proportionate share of the cost to the children's initiatives fund of the salary increase, including associated employer contributions, during fiscal year 2024.

(e) There is appropriated for the above agency from the Kansas endowment for youth fund for the fiscal year ending June 30, 2024, the following:

State employee pay increase.....\$84,100

Provided, That all moneys in the state employee pay increase account shall be used for the purpose of paying the proportionate share of the cost to the Kansas endowment for youth fund of the salary increase, including associated employer contributions, during fiscal year 2024.

(f) Upon recommendation of the director of the budget, 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, is hereby authorized to approve: (1) Increases in expenditure limitations on special revenue funds and accounts and increase the transfers between special revenue funds as necessary to pay the salary increases under this section for the fiscal year ending June 30, 2024; and (2) the expenditure of any remaining moneys in any account appropriated in subsections (a) through (e) to address salary inequities in any state agency as identified by the director of the budget in consultation with the director of personnel services. The director of accounts and reports is hereby authorized and directed to increase expenditure limitations on such special revenue funds and accounts and increase the transfers between special revenue funds in accordance with such approval of the state finance council for the purpose of paying from such funds or accounts the proportionate share of the cost to such funds or accounts, including associated employer contributions, of the salary increases and other amounts specified for the fiscal year ending June 30, 2024.

(g) (1) Except as provided in subsection (h), effective with the first payroll period chargeable to the fiscal year ending June 30, 2024, the classified pay matrix shall be adjusted upward by 5.0 percent, rounded to the nearest penny.

(2) Except as provided in subsection (h), effective with the first payroll period chargeable to the fiscal year ending June 30, 2024, all state agencies shall receive a sum equivalent to the total of 5.0%, rounded to the nearest penny, of the salaries of all benefits eligible unclassified employees in such agency, to be distributed as a merit pool.

(h) (1) Notwithstanding the provisions of K.S.A. 46-137a and 46-137b, and amendments thereto, or any other statute, the provisions of subsection (g) shall not apply to the compensation or biweekly allowance paid to each member of the legislature.

(2) Notwithstanding the provisions of K.S.A. 75-3111a, and amendments thereto, or any other statute, the provisions of subsection (g) shall not apply to state officers elected on a statewide basis.

(3) Notwithstanding the provisions of K.S.A. 75-3120l, and amendments thereto, or any other statute, the provisions of subsection (g) shall not apply to justices of the supreme court, judges of the court of appeals, district court judges and district magistrate judges.

(4) The provisions of subsection (g) shall not apply to:

(A) Teachers and licensed personnel and employees at the Kansas state school for the deaf or the Kansas state school for the blind.

(B) Kansas bureau of investigation forensic scientists who received an agency salary enhancement in fiscal year 2023, are anticipated to receive an agency salary enhancement in fiscal year 2024 or may receive such salary enhancements in both fiscal years.

(C) Employees of any agency who received an agency salary enhancement in fiscal year 2023, are anticipated to receive an agency salary enhancement in fiscal year 2024 or may receive such salary enhancements in both fiscal years.

(D) Any other employees on a formal, written career progression plan implemented by executive directive.

(E) Employees of the judicial branch and any employee whose pay is linked as provided by law to the pay of employees in the judicial branch.

(i) After implementation of subsections (g) and (h) the governor is hereby authorized and directed to modify the pay plan for fiscal year 2024 in accordance with this subsection and to adopt such pay plan as so modified. The governor is further authorized to implement market adjustments to the job classes and job titles determined to be greater than 5% below the average market salary rates in the 2022 department of administration annual salary survey to result in a salary rate that is less than or equal to 5% below the market average rate, which shall be effective on the first day of the first biweekly payroll period that is chargeable to the fiscal year ending June 30, 2024, for positions in such job classifications.";

And by renumbering sections accordingly

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 11; Nays 22; Present and Passing 1; Absent or Not Voting 6.

Yeas: Corson, Doll, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Nays: Alley, Baumgardner, Blasi, Bowers, Dietrich, Erickson, Fagg, Gossage, Kloos, Longbine, Masterson, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Present and Passing: Billinger.

Absent or Not Voting: Claeys, Faust-Goudeau, Kerschen, McGinn, O'Shea, Shallenburger.

EXPLANATION OF VOTE

As this state faces a severe workforce crisis and 6-8% inflation and higher CPI, I strongly support and vote aye on the amendment on **Sub SB 155** to expand KanCare while also providing 5% raises to our embattled state employees. This critical amendment would keep the State General Fund revenue neutral. Failure to expand KanCare has resulted in our state missing out on \$6 Billion in federal dollars that our state taxpayers have already paid. By expanding KanCare, we can support our state hospitals, provide access to essential healthcare for lower wage workers, and take a moral step towards helping at-risk Kansans. Moreover, this amendment would significantly contribute to workforce development. We cannot afford to delay any longer in taking this critical step to strengthen our state's economy and support our citizens.—JEFF PITTMAN

Senators Francisco and Pettey request the record to show they concur with the "Explanation of Vote" offered by Senator Pittman on **Sub SB 155**.

A motion by Senator Pyle to further amend **Sub SB 155** failed and the following amendment was rejected; on page 24, following line 15, by inserting:

"(d) During the fiscal year ending June 30, 2024, 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 2024 as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2024 to establish a committee on organization, calendar and rules as a standing committee of the senate: *Provided*, That the committee on organization, calendar and rules shall have six voting members: *Provided further*, That such members shall be the six most senior members in continuous terms of service of the majority party of the senate, not including the president, vice president and majority leader of the senate: *And provided further*, That such members shall elect the chairperson of the committee from among the members of the committee: *And provided further*, That the president, vice president and majority leader of the senate shall be advisory members of the committee on organization, calendar and rules: *And provided further*, That the committee on organization, calendar and rules shall appoint the members of all standing committees of the senate, shall appoint the chairperson and vice chairperson or vice chairpersons of each committee and shall designate the ranking minority member of each committee: *And provided further*, That the minority leader of the senate shall submit recommendations to the committee on organization, calendar and rules for the appointment of minority members to the standing committees of the senate: *And provided further*, That no bill or resolution other than resolutions adopting, amending or revoking rules of the senate or joint rules of the senate and house of representatives shall be introduced by or be referred to the committee on organization, calendar and rules: *And provided further*, That the committee on organization, calendar and rules shall have a standing subcommittee on calendar, which shall be composed of the three most senior members in continuous terms of service of the majority party of the senate, not including the president, vice president and majority leader of the senate: *And provided further*, That the committee on organization, calendar and rules may establish such other subcommittees of the committee on organization, calendar and rules as the committee deems appropriate: *And provided further*, That the committee on organization, calendar and rules may close meetings of the committee: *And provided further*, That the committee on organization, calendar and rules shall appoint the members of all special and select committees of the senate and the chairperson and vice chairperson thereof: *And provided further*, That in addition to the compensation provided by K.S.A. 46-137a and 75-3212, and amendments thereto, or any other statute, members of the committee on organization, calendar and rules shall receive an allowance equal to the allowance for the assistant majority leader of the senate as provided in K.S.A. 46-137b(a)(2), and amendments thereto."

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 9; Nays 17; Present and Passing 6; Absent or Not Voting 8.

Yeas: Francisco, Haley, Holland, Holscher, Pittman, Pyle, Reddi, Straub, Sykes.

Nays: Alley, Baumgardner, Billinger, Blasi, Bowers, Dietrich, Erickson, Fagg, Gossage, Kloos, Masterson, Peck, Ryckman, Thompson, Tyson, Warren, Wilborn.

Present and Passing: Corson, Longbine, O'Shea, Petersen, Pettey, Steffen.

Absent or Not Voting: Claeys, Doll, Faust-Goudeau, Kerschen, McGinn, Olson, Shallenburger, Ware.

EXPLANATION OF VOTE

I vote "Aye" on Senator Pyle's amendment to form a committee of six Senate members to determine committee chairs in the Senate, thus diversifying key roles among leadership, with overall control still appropriately remaining with the majority as they would make up that committee. This is not a vote targeting current leadership per se. However, we as a Senate need to be very conscious of the consolidation of power into the hands of a few as it affects the way we are each able to represent our respective districts. We have seen this power consolidation over the years, extending from in session to out of session via the FCC and LCC. This amendment would be a step towards fixing this challenge which threatens our democratic principles.—JEFF PITTMAN

Senator Haley requests the record to show he concurs with the "Explanation of Vote" offered by Senator Pittman on **Sub SB 155**.

A motion by Senator Pettey to further amend **Sub SB 155** failed.

A motion by Senator Tyson to further amend **Sub SB 155** failed.

A motion by Senator Francisco to further amend **Sub SB 155** failed.

A motion by Senator Holland to further amend **Sub SB 155** failed.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2225**, **HB 2331**, **HB 2400**, **HB 2421**, **HB 2422**.

Announcing passage of **SB 229**, as amended by **H Sub for SB 229**.

Announcing passage of **SB 14**, as amended; **SB 19**, as amended; **SB 26**, as amended.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2225, **HB 2331**, **HB 2400**, **HB 2421**, **HB 2422** were thereupon introduced and read by title.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator Longbine the Senate nonconcurred in the House amendments to **SB 14** and requested a conference committee be appointed.

The Vice President appointed Senators Longbine, Fagg and Holscher as a conference committee on the part of the Senate.

On motion of Senator Longbine the Senate nonconcurred in the House amendments to **SB 19** and requested a conference committee be appointed.

The Vice President appointed Senators Longbine, Fagg and Holscher as a conference committee on the part of the Senate.

On motion of Senator Longbine the Senate nonconcurred in the House amendments to **SB 26** and requested a conference committee be appointed.

The Vice President appointed Senators Longbine, Fagg and Holscher as a conference committee on the part of the Senate.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 300** be passed.

Also, **SB 147** be amended on page 2, in line 5, by striking "(1)"; also in line 5, by striking all after "(b)"; in line 6, by striking all before "shall"; by striking all in lines 14 through 17;

On page 1, in the title, in line 2, by striking "and making the credit refundable"; and the bill be passed as amended.

Committee on **Commerce** recommends **HB 2042**, As Amended by House Committee, be amended on page 1, in line 20, by striking "self-storage unit" and inserting "self-service storage facility";

On page 3, in line 11, by striking "45" and inserting "60";

On page 1, in the title, in line 1, by striking "self-storage rental units" and inserting "self-service storage facilities"; in line 2, by striking "unit" and inserting "facilities"; in line 3, by striking "45" and inserting "60"; in line 6, by striking all after "adding"; in line 7, by striking "unit" and inserting "self-service storage facility"; and the bill be passed as amended.

Also, **HB 2173** be amended on page 1, in line 21, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

HB 2234, As Amended by House Committee, be amended on page 3, in line 21, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

HB 2292, As Amended by House Committee of the Whole (Corrected), be amended on page 7, in line 27, by striking "unexpended" and inserting "unencumbered"; in line 28, by striking "close" and inserting "end"; in line 29, after "that" by inserting "such unencumbered balance at the end of the fiscal year to remain credited to the fund for use in the succeeding fiscal year shall not exceed \$2,500,000. On June 30, 2024, and each June 30 thereafter, the director of accounts and reports shall transfer the amount, if any, of unencumbered moneys in the fund in excess of \$2,500,000 to the state general fund.";

On page 10, in line 10, by striking "unexpended" and inserting "unencumbered"; in line 11, by striking "close" and inserting "end"; in line 12, after "year" by inserting ", except that the amount of such unencumbered balance at the end of the fiscal year to remain credited to the fund for use in the succeeding fiscal year shall not exceed \$3,000,000. On June 30, 2024, and each June 30 thereafter, the director of accounts and reports shall transfer the amount, if any, of unencumbered moneys in the fund in excess of \$3,000,000 to the state general fund"; and the bill be passed as amended.

Committee on **Education** recommends **HB 2092**, As Amended by House Committee, be passed.

Your Committee on **Federal and State Affairs** begs leave to submit the following report:

The following appointment was referred to and considered by the committee and your committee recommends that the Senate approve and consent to such appointment:

By the Governor:

Assistant Adjutant General-Air/Commander, Kansas Air National Guard: K.S.A. 48-208

Col. Jason Knobbe

Committee on **Financial Institutions and Insurance** recommends **HB 2197**, As

Amended by House Committee of the Whole, 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 2395** be passed.

Also, **HB 2027** be amended on page 2, in line 7, by striking "at or following trial"; and the bill be passed as amended.

HB 2130 be amended on page 6, following line 13, by inserting:

"Sec. 7. K.S.A. 59-2209 is hereby amended to read as follows: 59-2209. (a) When notice of hearing is required by any provision of this act by specific reference to this section, such notice shall be published ~~once-a~~ per week for three consecutive weeks in some newspaper of the county authorized by law to publish legal notices. The first publication shall be made within ~~10, 30~~ days after the order fixing the time and place of the hearing and, within seven days after the first published notice, the petitioner shall mail or cause to be mailed, postage prepaid, a copy of the notice to each heir, devisee and legatee or guardian and ward, conservator and conservatee or guardian ad litem, as the case may be, other than the petitioner, whose name and address is known to the petitioner. A copy of the petition, any attachments to it and, when applicable, a copy of the will, accounting and settlement agreement shall be included with the notice, unless excused by court order. The date set for the hearing shall not be earlier than ~~seven days~~ not later than 14, 10 days and not later than 30 days after the date of the last publication of notice.

(b) Whenever notice is mailed to a person residing in a foreign country, such notice shall be mailed by air mail.";

On page 8, following line 11, by inserting:

"Sec. 11. K.S.A. 59-2308 is hereby amended to read as follows: 59-2308. In all sales at public auction the personal representative shall give notice containing a particular description of the real estate to be sold, and ~~by stating such notice shall state~~ the time, terms and place of sale. The notice shall be given by publication ~~once-a~~ per week for three consecutive weeks in some newspaper, authorized to publish legal notices, of the county ~~in which where~~ the real estate is situated. The date set for the sale shall not be earlier than ~~seven days~~ not later than 14, 10 days and not later than 30 days after the date of the last publication of notice. If the tracts to be sold are contiguous and lie in more than one county, notice may be given and the sale made in either of such counties.";

On page 10, following line 13, by inserting:

"Sec. 14. K.S.A. 2022 Supp. 59-3504 is hereby amended to read as follows: 59-3504. (a) Title to the interest in real estate recorded in transfer-on-death form shall vest in the designated grantee beneficiary or beneficiaries on the death of the record owner.

(b) Grantee beneficiaries of a transfer-on-death deed take the record owner's interest in the real estate at death subject to all conveyances, assignments, contracts, mortgages, liens and security pledges made by the record owner or to which the record owner was subject during the record owner's lifetime including, but not limited to, any executory contract of sale, option to purchase, lease, license, easement, mortgage, deed of trust or lien, claims of the state of Kansas for medical assistance, as defined in K.S.A. 39-702, and amendments thereto, pursuant to K.S.A. 39-709, and amendments thereto, and to any interest conveyed by the record owner that is less than all of the record owner's interest in the property.

(c)(1) Except as provided in subsection (c)(2), if a grantee beneficiary dies prior to the death of the record owner and an alternative grantee beneficiary has not been designated on the deed to succeed to such deceased grantee beneficiary's interest, the transfer, with respect to any such deceased grantee beneficiary, shall lapse.

(2) When the transfer-on-death deed was not made contingent on such grantee beneficiary surviving the record owner and a deceased grantee beneficiary leaves at least one then-surviving issue of such beneficiary upon the death of the owner when such interest would otherwise have lapsed under subsection (c)(1), the interest in the real estate shall not lapse and shall vest on such record owner's death in the then-surviving issue of the deceased grantee beneficiary on a per stirpes basis as successor grantee or grantees.

(d) Any judicial proceeding initiated by an interested party to determine the succession of ownership of real estate of a deceased record owner pursuant to subsection (c) shall be subject to chapter 59 of the Kansas Statutes Annotated, and amendments thereto, to determine descent.

(e) The amendments made to this section by this act shall apply to deeds filed of record on or after July 1, 2023.;

Also on page 10, in line 14, after "59-1507a," by inserting "59-2209,;" also in line 14, by striking "and" and inserting a comma; also in line 14, after "59-2237" by inserting "and 59-2308"; in line 16, by striking "and" and inserting a comma; also in line 16, after "59-2402a" by inserting "and 59-3504";

And by renumbering sections accordingly;

On page 1, in the title, in line 8, after " judge;" by inserting "adjusting time requirements linked to notice by publication and mailing; relating to hearing dates; sales at public auction; clarifying how property held under a transfer-on-death deed is distributed when one beneficiary predeceases the grantor;"; in line 9, after "59-1507a," by inserting "59-2209,;" also in line 9, by striking "and" and inserting a comma; also in line 9, after "59-2237" by inserting "and 59-2308"; in line 11, by striking the first "and" and inserting a comma; also in line 11, after "59-2402a" by inserting "and 59-3504"; and the bill be passed as amended.

HB 2326, As Amended by House Committee, be amended on page 2, following line 24, by inserting:

"Sec. 2. K.S.A. 2022 Supp. 50-6,111 is hereby amended to read as follows: 50-6,111. (a) It shall be unlawful for any such scrap metal dealer, or employee or agent of the dealer, to purchase any item or items of regulated scrap metal in a transaction for which K.S.A. 2022 Supp. 50-6,110, and amendments thereto, requires information to be presented by the seller, without demanding and receiving from the seller that information. Every scrap metal dealer shall file and maintain a record of information obtained in compliance with the requirements in K.S.A. 2022 Supp. 50-6,110, and amendments thereto. All records kept in accordance with the provisions of the scrap metal theft reduction act shall be open at all times to law enforcement officers and shall be kept for two years. If the required information is maintained in electronic format, the scrap metal dealer shall provide a printout of the information to law enforcement officers upon request.

(b) It shall be unlawful for any scrap metal dealer, or employee or agent of the dealer, to purchase any junk vehicle in a transaction for which K.S.A. 2022 Supp. 50-6,110, and amendments thereto, requires information to be presented by the seller,

without:

(1) Inspecting the vehicle offered for sale and recording the vehicle identification number; and

(2) obtaining an appropriate bill of sale issued by a governmentally operated vehicle impound facility if the vehicle purchased has been impounded by such facility or agency.

(c) It shall be unlawful for any scrap metal dealer, or employee or agent of the dealer, to purchase or receive any regulated scrap metal from a minor unless such minor is accompanied by a parent or guardian or such minor is a licensed scrap metal dealer.

(d) It shall be unlawful for any scrap metal dealer, or employee or agent of the dealer, to purchase any of the following items without obtaining proof that the seller is an employee, agent or person who is authorized to sell the item on behalf of the governmental entity; utility provider; railroad; cemetery; civic organization; manufacturing, industrial or other commercial vendor that generates or sells such items in the regular course of business; or scrap metal dealer:

- (1) Utility access cover;
- (2) street light poles or fixtures;
- (3) road or bridge guard rails;
- (4) highway or street sign;
- (5) water meter cover;
- (6) traffic directional or traffic control signs;
- (7) traffic light signals;
- (8) any metal marked with any form of the name or initials of a governmental entity;
- (9) property owned and marked by a telephone, cable, electric, water or other utility provider;
- (10) property owned and marked by a railroad;
- (11) funeral markers or vases;
- (12) historical markers;
- (13) bales of regulated metal;
- (14) beer kegs;
- (15) manhole covers;
- (16) fire hydrants or fire hydrant caps;
- (17) junk vehicles with missing or altered vehicle identification numbers;
- (18) real estate signs;
- (19) bleachers or risers, in whole or in part;
- (20) twisted pair copper telecommunications wiring of 25 pair or greater existing in 19, 22, 24 or 26 gauge; ~~and~~

(21) burnt wire;

(22) any catalytic converter that has:

(A) A defaced identification mark or owner-applied paint or identification number;

or

(B) been intentionally altered by removing or obliterating the make, model or manufacturer's number; and

(23) any by-product or dust containing platinum, palladium or rhodium.

(e) It shall be unlawful for any scrap metal dealer, or employee or agent of the dealer, to sell, trade, melt or crush, or in any way dispose of, alter or destroy any

regulated scrap metal, junk vehicle or vehicle part upon notice from any law enforcement agency, or any of their agents or employees, that they have cause to believe an item has been stolen. A scrap metal dealer shall hold any of the items that are designated by or on behalf of the law enforcement agency for 30 days, exclusive of weekends and holidays.";

Also on page 2, in line 30, after "50-6,109" by inserting ", 50-6,111";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the first semicolon by inserting "providing that certain purchases of catalytic converters and by-products or dust are unlawful under the act;"; in line 4, after "50-6,109" by inserting ", 50-6,111"; and the bill be passed as amended.

Committee on **Public Health and Welfare** recommends **HB 2033** be amended on page 1, in line 19, after "(d)" by inserting "'Behavioral health crisis" means behavioral and conduct issues that impact the safety or health of a child, members of the child's household or family or members of the community, including, but not limited to, non-life threatening mental health and substance abuse concerns.

(e)";

On page 6, by striking all in lines 17 through 21;

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 9, in line 8, by striking "38-"; in line 9, by striking "2202(d)(9)" and inserting "38-2202(e)(9)"; also in line 9, by striking "(d)(10)" and inserting "(e)(10)";

On page 10, in line 3, after "(a)" by inserting "'Behavioral health crisis" means behavioral and conduct issues that impact the safety or health of a child, members of the child's household or family or members of the community, including, but not limited to, non-life threatening mental health and substance abuse concerns.

(b)";

On page 13, in line 26, by striking "38-2202(d)" and inserting "38-2202(e)"; by striking all in lines 34 through 37; in line 38, by striking "concerns.";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 17, in line 26, by striking "38-2202(d)" and inserting "38-2202(e)"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2019** be amended on page 1, in line 22, after "(b)" by inserting "The provisions of this section shall be limited to the relationship between transportation network companies and transportation network company drivers.

(c)"; and the bill be passed as amended.

Also, **HB 2298**, As Amended by House Committee, be amended on page 1, in line 15, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

HB 2346, As Amended by House Committee, be amended on page 2, following line 38, by inserting:

"New Sec. 2. (a) On and after January 1, 2024, 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 city of Topeka license plate for each such passenger vehicle or truck. Such

license plates 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 payment to the county treasurer of the flag image payment provided for in subsection (b).

(b) Any motor vehicle owner or lessee may apply annually to use the city of Topeka flag image on a license plate as provided for in this section. Such owner or lessee shall pay an amount of not less than \$25 but not more than \$100 for each such license plate to be issued. The flag image payment shall be paid to 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. Any applicant for such license plate shall pay to the county treasurer the flag image payment. Application for registration of a passenger vehicle or truck and the 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 city of Topeka 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 K.S.A. 8-143, and amendments thereto, and in the manner prescribed in K.S.A. 8-132, and amendments thereto. No renewal of registration shall be made to any applicant until such applicant provides to the county treasurer the flag image payment. If the annual flag image payment is not provided 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 city of Topeka flag image referred to in subsection (b) was adopted by the city of Topeka governing body on November 12, 2019. The flag was designed through a community input process managed by the greater Topeka partnership, inc. No individual or entity claims intellectual property rights to the city of Topeka flag image. Use of the city of Topeka flag image to be displayed on a license plate shall be designed with the approval of the director of vehicles.

(h) As a condition of receiving the city of Topeka 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, flag image payment amount, plate number and vehicle type to the city of Topeka and the state treasurer.

(i) The collection and remittance of annual flag image payments by the county treasurer shall be subject to the provisions of K.S.A. 8-1,141(h), and amendments thereto, except that payments from the city of Topeka flag image fund shall be made on a monthly basis to the greater Topeka partnership, inc. A change of the city's designee shall occur only by mutual agreement by the city of Topeka and the greater Topeka partnership, inc.

New Sec. 3. (a) On and after January 1, 2024, license plates furnished for a motor vehicle and issued by the division of vehicles shall have designated the county of registration for such motor vehicle. The director of vehicles may either print the

abbreviation of the county of registration directly on the license plate or affix to the license plate by a decal the abbreviation of the county of registration. Except as otherwise provided in subsection (b), the provisions of this section shall apply to:

(1) Any passenger vehicle or truck as defined in K.S.A. 8-126, and amendments thereto, that is subject to taxation pursuant to K.S.A. 79-5101 et seq., and amendments thereto; or

(2) any vehicle that displays a distinctive or personalized license plate.

(b) The provisions of this section shall not apply to distinctive license plates designating a person as a recipient of the congressional medal of honor issued pursuant to K.S.A. 8-1,145, and amendments thereto.";

Also on page 2, in line 40, after "(a)" by inserting "(1) Except as provided in paragraph (2),"; in line 42, by striking "(c)" and inserting "(d)";

On page 3, following line 1, by inserting:

"(2) On and after January 1, 2025, any distinctive license plate may be a personalized license plate subject to the provisions of K.S.A. 8-132, and amendments thereto. Any personalized distinctive license plate shall be subject to a fee that is double the amount prescribed by K.S.A. 8-132(d), and amendments thereto.";

Also on page 3, in line 9, after "thereto" by inserting ", except that such distinctive license plates may be personalized license plates pursuant to subsection (a)(2) if an applicant pays the personalized license plate fee prescribed by K.S.A. 8-132(d), and amendments thereto"; in line 13, after "thereto" by inserting ", except that such distinctive license plates may be personalized license plates pursuant to subsection (a) (2) if an applicant pays the personalized license plate fee prescribed by K.S.A. 8-132(d), and amendments thereto";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "distinctive"; in line 2, after "plate" by inserting "and the city of Topeka distinctive license plate; allowing distinctive license plates to be personalized license plates; requiring certain license plates to have the county of registration for the motor vehicle identified on the plate"; and the bill be passed as amended.

On motion of Senator Alley, the Senate adjourned pro forma until 9:00 a.m., Friday, March 17, 2023.

Journal of the Senate

FORTY-SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, March 17, 2023, 9:00 a.m.

The Senate was called to order pro forma by Senator Brenda Dietrich.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **HB 2421**.

Commerce: **HB 2331, HB 2400**.

Education: **SB 316**.

Federal and State Affairs: **HB 2422**.

Judiciary: **SB 317, SB 318**.

Utilities: **HB 2225**.

REPORT ON ENROLLED BILLS

SR 1714, SR 1715, SR 1716 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on March 17, 2023.

TRIBUTES

The Committee on **Organization, Calendar, and Rules** authorizes the following tributes for the week of March 13 through March 17, 2023:

Senator Holland: congratulating Fields and Ivy Brewery on receiving a 2023 SBDC Emerging Business Award; and

Senator Pittman: celebrating Betty Ludwig's 90th Birthday.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Monday, March 20, 2023.

Journal of the Senate

FORTY-SEVENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, March 20, 2023, 2:30 p.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 37 senators present.
Senators Kerschen, Shallenburger and Warren were excused.
Invocation by David Henkle:

Heavenly Father, I thank You for Your amazing love for us, for each senator here and for those which cannot be with us. Thank You for the privilege it is to come before Your throne this afternoon. I ask that You bestow Your divine favor upon this body, collectively and individually. Father, You alone know all things, including the true intentions and thoughts of every senator here. Give them Your perspective and Your wisdom as they debate the challenging matters before them.

Cause them to fix their attention on things that are true and honorable. Keep them from things that are wrong and unjust, but rather guide them to that which is right and pure. Guide them away from slander, gossip and put-downs and toward information of good report, the kind that builds up and causes grace to flow and productive agreement to be achieved. May their goal be Your best for the people of Kansas.

I pray for Your peace today which is far beyond our understanding. I ask that You give each senator Your wisdom as they argue their position. I lift up President Masterson, Vice President Wilborn, Majority Leader Alley and Minority Leader Sykes to You. Give them Your direction as they lead this chamber. I pray that at the end of the day, the deliberations here would lead to sound decisions that would honor You, blessing all Kansans. In Jesus' Name, Amen!

The Pledge of Allegiance was led by President Masterson.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2105, HB 2247, HB 2388**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2105, HB 2247, HB 2388 were thereupon introduced and read by title.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 263** be amended on page 1, in line 33, by striking "2024" and inserting "2027"; and the bill be passed as amended.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Tuesday, March 21, 2023.

Journal of the Senate

FORTY-EIGHTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, March 21, 2023, 2:30 p.m.

The Senate was called to order by President Ty Masterson.

The roll was called with 38 senators present.

Senators Kerschen and Shallenburger were excused.

Invocation by Pastor Richard Lally, Church Ambassador Network:

O God, from whom come all holy desires, all good counsels and all just works, give to us, Your servants, that peace which the world cannot give, that our hearts may be set to obey Your commandments and also that we, being defended from the fear of our enemies may live in peace and quietness. Graciously regard those who have been set in positions of authority among us that, guided by Your Spirit, they may be high in purpose, wise in counsel, firm in good resolution and unwavering in duty, that under them we may be governed quietly and peaceably.

O merciful Father in heaven from You comes all rule and authority over the nations of the world for the punishment of evildoers and for the praise of those who do well. Graciously regard Your servants who make the laws of this state and look in mercy upon all the rulers of the earth. Enlighten and defend them and grant them wisdom and understanding, that under their peaceable governance guard them against strife and conflict and promote a spirit of civility as they go about their work in this chamber and beyond. Your people may be guarded and directed in righteousness, quietness and unity.

Lord, keep this nation under Your care. Bless the leaders of our land that we may be a people at peace among ourselves and a blessing to the other nations of the earth. Grant that we may choose trustworthy leaders, contribute to wise decisions, pleasing in Your sight for the general welfare and serve You faithfully in our generation. Lord Jesus Christ, as once You shared in our human toil and thus hallowed the work of our hands, bless and prosper those who maintain the industries and service sectors of this land. Give them a right regard for their labors and grant them the just reward for their work that they may find joy in serving You and in supplying our needs. You bless the earth to make it fruitful, bringing forth in abundance whatever is needed for the support of our lives. Prosper the work of farmers and all those who labor to bring food to our table. Grant them seasonable weather that they may gather in the fruits of the earth in abundance and proclaim Your goodness with thanksgiving.

Lord God, You have called Your servants to ventures of which we cannot see the ending by paths as yet untrodden, through perils unknown. Give us faith to go out with good courage not knowing where we go but only that Your hand is leading us and Your love supporting us, through Jesus Christ our Lord.

Blessed Lord Jesus Christ, at this hour You hung upon the cross, stretching out Your loving arms to embrace the world in Your death. Grant that all people of the earth may look to You and see their salvation. For Your mercy's sake we pray. Amen!

The Pledge of Allegiance was led by President Masterson.

POINT OF PERSONAL PRIVILEGE

Senator Dietrich rose on a Point of Personal Privilege to recognize the following Kansas Youth of the Year from the Boys and Girls Clubs: Aden Camfield, Zion Burgess, Dakota Dalsing-Short, Brenden Draney, Arabella Gipp, and Khaai Wilson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 319, AN ACT concerning abortion; establishing the alternatives to abortion program and the alternatives to abortion public awareness program; providing services that promote childbirth to women facing unplanned pregnancies; establishing requirements and penalties for failure to fulfill program contract requirements; promoting public awareness of such services, by Committee on Ways and Means.

SB 320, AN ACT concerning health and healthcare; creating the born-alive infants protection act; providing legal protections for infants born alive; requiring certain standards of care by healthcare providers for infants who are born alive; providing criminal penalties and civil liability for violations of the act; amending K.S.A. 65-445 and repealing the existing section, by Committee on Ways and Means.

SB 321, AN ACT concerning elections; providing for a presidential preference primary election; establishing voter registration and voting procedures for such election; amending K.S.A. 25-1122, 25-1123, 25-2311, 25-4501a, 25-4502, 25-4503 and 25-4505 and K.S.A. 2022 Supp. 25-3009 and repealing the existing sections, by Committee on Federal and State Affairs.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Commerce: **HB 2388**.

Financial Institutions and Insurance: **HB 2105**, **HB 2247**.

COMMUNICATIONS FROM STATE OFFICERS

The following report was submitted to the Senate and is on file with the Secretary of the Senate:

Kansas Adjutant General's Department, 2022 Annual Report (March 20, 2023)

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

Sub SB 155, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2023, June 30, 2024, June 30, 2025, and June 30, 2026, 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. 2-223, 12-1775a and 12-5256 and K.S.A. 2022 Supp. 65-180, 72-5462, 74-50,107, 74-8711,

74-99b34, 75-2263, 75-6707, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171 and 79-4804 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 23; Nays 12; Present and Passing 2; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kloos, Longbine, Masterson, McGinn, Peck, Petersen, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holscher, Olson, Pettey, Pittman, Reddi, Sykes, Ware.

Present and Passing: Holland, Pyle.

Absent or Not Voting: Kerschen, O'Shea, Shallenburger.

The substitute bill passed, as amended.

EXPLANATION OF VOTE

I cannot in good conscience vote on legislation where one of the Attorney General's top advisors also serves in this Senate body. This unspoken conflict calls into question the integrity of the Senate budget. For this reason, I vote "PASS" on **Sub SB 155**.—Tom HOLLAND

On motion of Senator Alley, the Senate recessed until the sound of the gavel.

The Senate met pursuant to recess with President Masterson in the chair.

COMMITTEE OF THE WHOLE

On motion of Senator Alley, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Claeys in the chair.

On motion of Senator Claeys the following report was adopted:

HB 2020, HB 2065, HB 2089, HB 2090 be amended by the adoption of the committee amendments, and the bills be passed as amended.

HB 2015 be amended by the adoption of the committee amendments, be further amended by motion of Senator Steffen; on page 1, in line 16, after "(b)" by inserting "(1)"; also in line 16, after "include" by inserting ":

(A)";

Also on page 1, in line 18, after the second "tests" by inserting " and

(B) the statement of a person licensed by the state board of healing arts to practice medicine and surgery that the individual described in subsection (a) is undergoing or may require medical treatment that is dependent on the infectious disease test results sought in the application";

Also on page 1, also in line 18 after the period by inserting:

"(2)"

Also on page 1, in line 21, by striking "(1)" and inserting "(A)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

Also on page 1, in the title, in line 3, after the semicolon by inserting "requiring such petition to contain a physician's statement that the test results sought are required for the exposed employee's medical treatment;" and **HB 2015** be passed as further amended.

SCR 1607 be adopted.

MESSAGE FROM THE HOUSE

Announcing passage of **SB 24**.

The House accedes to the request of the Senate for a conference on **SB 14** and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 19** and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 26** and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **H Sub SB 83** and has appointed Representatives Williams, K., Landwehr and Winn as conferees on the part of the House.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2279**, As Amended by House Committee, be amended on page 1, in line 7, by striking "31" and inserting "25"; in line 12, after "the" by inserting "budget,,"; in line 13, by striking all after "district"; by striking all in lines 14 through 18; in line 19, by striking all before the period; in line 21, by striking "financial statement included in the"; in line 23, by striking all after "(1)"; by striking all in lines 24 through 26; in line 27, by striking all before "a" and inserting "The most recent approved audit prepared in accordance with K.S.A. 75-1120a, and amendments thereto;

(2) an accounting of all assets currently held by the board;

(3) the budget adopted for the current year pursuant to K.S.A. 82a-1026, and amendments thereto;

(4) a detailed description of the activities of the district; and

(5)";

Also on page 1, in line 32, by striking "(d)" and inserting "(c) Beginning in January 2025, the report shall summarize the action plans and activities undertaken pursuant to section 2, and amendments thereto.

(d) Each year, each district shall publish the annual written report required by subsection (a) on the district's website.

(e)";

On page 2, in line 6, by striking "July 1" and inserting "December 31"; in line 7, after "each" by inserting "such board's"; by striking all in lines 10 through 12; in line 13, by striking all before "Priority"; in line 16, after "less" by inserting "or similar aquifer conditions exist as evidenced by water level decline and water use data provided by the Kansas geological survey";

On page 3, in line 14, before "every" by inserting "At least"; also in line 13, by striking the second "the" and inserting "existing"; in line 17, after "its" by inserting "priority areas of concern and"; in line 36, after "within" by inserting "a district that have adopted"; also in line 36, by striking "established"; in line 38, after "be" by inserting "a priority area of concern with an approved action plan"; also in line 38, by

striking "this section" and inserting "subsections (a)(1) and (a)(4)(B)"; in line 39, after the period by inserting "All areas within a district that have an established intensive groundwater use control area established pursuant to K.S.A. 82a-1036, and amendments thereto, on July 1, 2023, shall be considered to be a priority area of concern with an approved action plan in compliance with the requirements of subsections (a)(1) and (a)(4)(B) until reviewed by the chief engineer pursuant to a schedule established in rules and regulations.";

On page 4, in line 7, by striking all after "(e)"; by striking all in lines 8 through 14; in line 15, by striking "(f)"; following line 16, by inserting:

"Sec. 3. (a) If a district owns, purchases or otherwise acquires land, no member of the board of such district shall farm such land for profit unless the board issues a request for proposal for farming such land.

(b) This section shall be a part of and supplemental to article 10 of chapter 82a of the Kansas Statutes Annotated, and amendments thereto.";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after "engineer" by inserting "; prohibiting groundwater management district board members from farming land owned by the district unless a request for proposal for farming such land is issued"; and the bill be passed as amended.

Committee on **Commerce** recommends **HB 2344** be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2344," as follows:

"Senate Substitute for HOUSE BILL NO. 2344

By Committee on Commerce

"AN ACT concerning the department of health and environment; relating to licensure of child care facilities; day care homes and child care centers; establishing license capacity and staff-to-child ratios; lowering license fees and training requirements; creating a process for day care facility licensees to apply for a temporary waiver of certain statutory requirements; authorizing the secretary to develop and operate pilot programs to increase day care facility availability and capacity; amending K.S.A. 65-503, 65-505 and 65-508 and K.S.A. 2022 Supp. 48-3406 and repealing the existing sections."; and the substitute bill be passed.

Also, **HB 2336** be amended on page 1, in line 15, after "after" by inserting "the first"; in line 23, after "any" by inserting "resolution for a"; in line 25, by striking all after "approval"; in line 26, by striking all before "in" and inserting "or disapproval by the board of county commissioners. If the board of county commissioners disapproves the resolution of the authority, no further action shall be taken by the authority on the basis of such resolution. If the board of county commissioners approves the resolution of the authority, the board of directors of the authority may proceed to authorize and issue the general obligation bonds in the amount and for the purpose specified in such resolution. Following approval of the authority's resolution by the board of county commissioners, the authority shall cause the resolution to be published once each week for two consecutive weeks in the official county newspaper. If, within 30 days after the first publication of the resolution, a petition in opposition to the issuance of the bonds, signed by not less than 5% of the qualified electors of the county, is filed with the county election officer, the board of directors shall submit the proposed issuance of general obligation bonds to the electors of the county"; in line 28, by striking "question"

and inserting "proposition at the election"; also in line 28, by striking "thereof" and inserting "of the issuance"; also in line 28, by striking the second "in"; by striking all in lines 29 through 32; in line 33, by striking all before the period and inserting "by the authority";

On page 2, in line 1, after "year" by inserting ", unless a resolution of the authority to exceed 1.85% of the assessed value of all the taxable tangible property within the county as shown by the assessment books of the previous year for a general obligation bond issuance is approved by the board of county commissioners. If the board of county commissioners disapproves the resolution of the authority, no further action shall be taken by the authority on the basis of such resolution. If the board of county commissioners approves the resolution of the authority, the board of directors of the authority may proceed to authorize and issue the general obligation bonds in the amount and for the purpose specified in such resolution. Following approval of the resolution of the authority by the board of county commissioners, the authority shall cause the resolution to be published once each week for two consecutive weeks in the official county newspaper. If, within 30 days after the first publication of the resolution, a petition in opposition to the issuance of the bonds, signed by not less than 5% of the qualified electors of the county is filed with the county election officer, the board of directors shall submit the proposed issuance of general obligation bonds to the electors of the county in the manner provided in the general bond law. If a majority of the voters voting on the proposition at the election vote in favor of the issuance, the bonds may be issued by the authority";

On page 1, in the title, in line 3, after the semicolon by inserting "permitting bonding authority of more than \$10,000,000 or in excess of the 1.85% statutory limitation based on assessed value of property within the county upon approval by the board of county commissioners;"; and the bill be passed as amended.

Committee on **Local Government** recommends **HB 2082** be passed.

Committee on **Public Health and Welfare** recommends **SB 297** be passed.

Also, **SB 287** be amended on page 1, in line 14, by striking "or vulnerable person" and inserting "or a missing person who is 18 years of age or older and has dementia, a developmental disability such as autism spectrum disorder or a cognitive impairment"; by striking all in lines 18 through 20; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2335**, As Amended by House Committee, 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 **Ways and Means** recommends **HB 2290** be passed.

Also, begs leave to submit the following report:

The following appointment was referred to and considered by the committee, and your committee recommends that the Senate approve and consent to such appointment:

By the Governor:

Secretary, Department of Administration: K.S.A. 75-3702a

Adam Proffitt, to serve at the pleasure of the Governor

CHANGE OF REFERENCE

The President withdrew **SB 291** from the Calendar under the heading of **General Orders**, and rereferred the bill to the Committee on **Federal and State Affairs**.

The President withdrew **SB 193** from the Calendar under the heading of **General**

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Orders, and rereferred the bill to the Committee on **Judiciary**.

REFERENCE OF BILLS

The President referred **SB 321** to the Committee on **Federal and State Affairs**.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Wednesday, March 22, 2023.

Journal of the Senate

FORTY-NINTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, March 22, 2023, 2:30 p.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 38 senators present.
Senators Kerschen and Shallenburger were excused.
Invocation by Reverend Cecil T. Washington:

Comforting Words In Difficult Times!
Psalm 23:1-6

Heavenly Father, I thank You for another opportunity to serve. For this is another day that had not been promised to us, as we daily we face dangers, seen and unseen.

A year ago, Lord, You chose to deliver me from the grasp of the Covid virus. And here again, after spending a few days in the hospital, I was touched by Your healing Hand. You've blessed me with some friends who believe in the power of prayer, and I thank You for their prayers. You protected me, my wife and my daughter from facing the severity of that virus. But Lord, we all face dangers that You protect us from. And when You don't protect us from them, You protect us in them.

You have given us those powerful words of encouragement, penned for us by David in the 23rd Psalm; words that have blessed us through generations. Help us again to find comfort in the message of those words. 1) The LORD is my shepherd; I have all that I need. 2) He lets me rest in green meadows; He leads me beside peaceful streams. 3) He renews my strength. He guides me along right paths bringing honor to His name. 4) Even when I walk through the darkest valley of the shadow of death, I will fear no evil, for you are close beside me. Your rod and Your staff protect and comfort me. 5) You prepare a feast for me in the presence of my enemies. You honor me by anointing my head with oil. My cup overflows with blessings. 6) Surely Your goodness and unfailing love will pursue me all the days of my life and I will dwell in the house of the LORD forever. I offer this prayer in the Name of Jesus. Amen!

The Pledge of Allegiance was led by President Masterson.

POINT OF PERSONAL PRIVILEGE

Senator Pittman rose on a Point of Personal Privilege to share the following remarks: Colleagues, For those who don't know there is a picture on my office door of my father, Retired Col James Pittman, having just graduated from West Point Academy when he was about to head off for his first tour in Vietnam. On my back window, I have another picture of my father-in-law, Retired LTC Wayne Shehorn, in his helicopter helmet on

one of his 4 tours in Vietnam. Today, March 22, marks the annual observance of Armed Forces Day as well as Vietnam Veterans Day. On this day, we, the whole Senate, express our deepest gratitude to all those who have served our country and we pay tribute in particular to the courage and sacrifice of those who served in Vietnam. We remember those who made the ultimate sacrifice and gave their lives in service to our nation and we honor the resilience and strength of those who returned home after enduring the horrors of war. Our Armed Forces have always been a symbol of hope, strength and freedom and we are grateful for the soldiers who have selflessly dedicated themselves to defending our nation. We owe a tremendous debt of gratitude to our veterans, whose service and sacrifice helped shape our country and protect the values we hold dear. Today I also thank all the military members, past and present, who came back to Kansas to serve in this Legislature. I encourage all Kansans to take a moment to reflect on the sacrifices made by our veterans and our Vietnam Veterans and I say again, Welcome Home...

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Public Health and Welfare: **SB 319, SB 320.**

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2313.**

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2313 was thereupon introduced and read by title.

FINAL ACTION ON CONSENT CALENDAR

HB 2197, HB 2262, HB 2332 having appeared on the Consent Calendar for the required two full legislative days without objection from any member, were considered on final action.

HB 2197, AN ACT concerning financial institutions; relating to the first-time home buyer savings account act; authorizing the state treasurer to market the first-time home buyer savings account program to account holders and financial institutions; providing a procedure for the distribution of the account balance upon the death of an account holder; changing the term "transfer on death" to "payable on death" regarding beneficiaries; resolving a conflict when beneficiaries differ on a financial institution's account records and on first-time home buyer savings account tax forms required by the secretary of revenue; amending K.S.A. 2022 Supp. 58-4903, 58-4904, 58-4906 and 79-32,117 and repealing the existing sections.

On roll call, the vote was: Yeas 36; Nays 1; Present and Passing 1; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Tyson.

Present and Passing: Holland.

Absent or Not Voting: Kerschen, Shallenburger.

The bill passed.

HB 2262, AN ACT concerning public health; relating to embalmer educational requirements; allowing an individual to complete six months of an embalmer apprenticeship prior to enrolling in a school of mortuary science; amending K.S.A. 65-1701a and 65-1703 and repealing the existing sections.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Kerschen, Shallenburger.

The bill passed.

HB 2332, AN ACT concerning the division of tourism; relating to the transfer of powers, duties and functions from the department of wildlife and parks to the department of commerce; making changes in references and transfers to state officers with respect thereto; amending K.S.A. 2-1314d, 2-2473, 8-134, 32-801, 32-802, 32-805, 32-806, 32-807, 32-809, 32-832, 32-833, 32-834, 32-835, 32-836, 32-837, 32-839, 32-840, 32-844, 32-845, 32-846, 32-869, 32-873, 32-874, 32-874a, 32-874b, 32-874c, 32-874d, 32-874e, 32-886, 32-887, 32-888, 32-906, 32-918, 32-930, 32-932, 32-938, 32-960a, 32-966, 32-976, 32-996, 32-997, 32-998, 32-999, 32-9,100, 32-1001, 32-1004, 32-1005, 32-1031, 32-1032, 32-1040, 32-1041, 32-1049, 32-1049a, 32-1050, 32-1051, 32-1052, 32-1053, 32-1054, 32-1062, 32-1063, 32-1064, 32-1066, 32-1074, 32-1075, 32-1077, 32-1102, 32-1112, 32-1129, 32-1174, 32-1203, 32-1306, 32-1308, 32-1310, 32-1401, 32-1402, 32-1403, 32-1410, 32-1411, 32-1412, 32-1413, 32-1420, 32-1421, 32-1422, 32-1432, 32-1433, 32-1438, 47-2101, 65-189e, 65-3424b, 65-5703, 68-406, 74-134, 74-5,133, 74-2622, 74-3322, 74-4722, 74-4911f, 74-5005, 74-6614, 74-7901, 74-9201, 75-1253, 75-2720, 75-2935, 75-3339, 75-37,121, 75-3907, 75-3908, 75-3910, 76-463, 77-415, 79-201a, 79-3221e, 79-3221h, 79-32,203, 79-5212, 82a-209, 82a-220, 82a-326, 82a-903, 82a-1501, 82a-2001 and 82a-2204 and K.S.A. 2022 Supp. 19-2803b, 19-2803d, 19-2817, 19-2822, 19-2835, 19-2836, 19-2839, 19-2844, 19-2844a, 19-2855, 19-2868, 19-2873, 19-2894, 19-3543, 20-302b, 21-5810, 21-6308a, 21-6416, 22-2512, 32-701, 41-719, 49-408, 58-3221, 58-3225, 74-5602, 77-421 and 79-3234 and repealing the existing sections; also repealing K.S.A. 32-810, 32-811, 32-812, 32-813, 32-814, 32-815, 32-816 and 32-818.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Kerschen, Shallenburger.

The bill passed.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2015, AN ACT concerning public health; relating to infectious disease; authorizing the designee of an employing agency or entity to petition the court for an order requiring infectious disease testing; requiring such petition to contain a physician's statement that the test results sought are required for the exposed employee's medical treatment; amending K.S.A. 65-6008 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 33; Nays 5; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Holland, Pyle, Steffen, Straub, Tyson.

Absent or Not Voting: Kerschen, Shallenburger.

The bill passed, as amended.

HB 2020, AN ACT concerning motor carriers; relating to the employment status of a driver of a motor carrier; prohibiting the altering of employment status for requiring safety improvements on the vehicle, was considered on final action.

On roll call, the vote was: Yeas 35; Nays 1; Present and Passing 2; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Holscher, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Pittman.

Present and Passing: Francisco, Holland.

Absent or Not Voting: Kerschen, Shallenburger.

The bill passed, as amended.

HB 2065, AN ACT concerning family law; relating to dissolution of marriage; allowing change to name other than former or maiden name; removing reference to maiden name; amending K.S.A. 2022 Supp. 23-2716 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 36; Nays 2; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Peck, Tyson.

Absent or Not Voting: Kerschen, Shallenburger.

The bill passed, as amended.

HB 2089, AN ACT concerning insurance; relating to prepaid service plans; certificates of registration; discontinuing annual registration fees for such plans; modifying the requirement to report individuals who solicit memberships on behalf of such plans from semi-annually to annually and upon application for registration; amending K.S.A. 40-4209 and repealing the existing section; also repealing K.S.A. 40-

4203, was considered on final action.

On roll call, the vote was: Yeas 36; Nays 2; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Holland, Pyle.

Absent or Not Voting: Kerschen, Shallenburger.

The bill passed, as amended.

HB 2090, AN ACT concerning insurance; relating to the uniform insurance agents licensure act; public adjusters licensing act; authorizing the commissioner of insurance to set the amount of certain fees; requiring information obtained from background checks, fingerprinting and criminal history records checks be used solely for the purpose of verifying the identification of an applicant and the fitness of an applicant to be issued a license as an insurance agent; amending K.S.A. 40-4905, 40-4906 and 40-5505 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 36; Nays 2; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Pyle, Tyson.

Absent or Not Voting: Kerschen, Shallenburger.

The bill passed, as amended.

SCR 1607, A CONCURRENT RESOLUTION making application to the Congress of the United States to call a convention for the purpose of proposing amendments to the Constitution of the United States that impose limits on the federal government, was considered on final action.

On roll call, the vote was: Yeas 22; Nays 16; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Erickson, Fagg, Gossage, Kloos, Longbine, Masterson, O'Shea, Peck, Petersen, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, McGinn, Olson, Pettey, Pittman, Pyle, Reddi, Sykes, Ware.

Absent or Not Voting: Kerschen, Shallenburger.

Notwithstanding the United States Constitution, **SCR 1607** failing to receive the required two-thirds majority under the Kansas Constitution was hereby declared lost.

EXPLANATION OF VOTE

The Constitution of the United States cannot be blamed for the problems that we have had and continue to have in Washington, D.C. The Framers of our Constitution in their great foresight produced a document that has been the longest lasting Constitution of any Democratic Government in the history of the world. The unintended

consequences of the Convention of States could be harmful over the long term. Speaking with proponents of the Convention of States and asking their thoughts on how long a Federal Senator should serve, the overwhelming answer was 12 years for a Federal Senator. If this same rule was applied at the state level in Kansas, fifteen of our current senators would be termed out in the the 2024 election. I don't believe our Senate would be as effective missing fifteen senators in our next session. For this reason, and an infinite number of other reasons, I vote "NO" on **SCR 1607**.—JOHN DOLL

Senators Dietrich, Francisco and Haley request the record to show they concur with the "Explanation of Vote" offered by Senator Doll on **SCR 1607**.

I vote "YES" on **SCR 1607** because our Federal government is out of control. An Article V Convention of States is our best opportunity to right the ship before it sinks or is sank.—MARK STEFFEN

Senator Thompson requests the record to show he concurs with the "Explanation of Vote" offered by Senator Steffen on **SCR 1607**.

On motion of Senator Alley, the Senate recessed until the sound of the gavel.

The Senate met pursuant to recess with Vice President Wilborn in the chair.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator Billinger the Senate nonconcurrred in the House amendments to **H Sub for SB 229** and requested a conference committee be appointed.

The Vice President appointed Senators Billinger, Claeys and Pettey as a conference committee on the part of the Senate.

COMMITTEE OF THE WHOLE

On motion of Senator Alley, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Petersen in the chair.

On motion of Senator Petersen the following report was adopted:

HB 2092 be passed.

A motion by Senator Tyson to amend **HB 2092** was withdrawn.

HB 2042, HB 2093, HB 2094, HB 2130, HB 2131 be amended by the adoption of the committee amendments, and the bills be passed as amended.

The committee report on **HB 2344** recommending **S Sub HB 2344** be adopted, be amended by motion of Senator O'Shea; on page 6, in line 9, by striking "18" and inserting "20"; also in line 9, by striking "36" and inserting "40"; in line 29, after the first "the" by inserting "state fire marshal and the"; in line 34, by striking "75" and inserting "60"

and **H Sub HB 2344** be passed as amended.

A motion by Senator Pettey to amend **H Sub HB 2344** failed.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

Under the authority of the President, the Vice President referred **HB 2313** to the Committee on Public Health and Welfare.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2039**, As Amended by House Committee, be amended on page 8, in line 6, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Committee on **Education** recommends **HB 2236**, As Amended by House Committee, be amended on page 1, in line 20, after the period by inserting "Exemptions from required instruction granted pursuant to this section do not excuse a student from the responsibility to complete comparable alternative assignments offered to obtain credit in the course, the total semester hours required for attendance or required courses for graduation by any such withdrawal from a class or educational program pursuant to this section. If an activity or resource impairs a parent's belief or value, an agreed upon alternative activity or resource shall be utilized. When appropriate, the student may remain in the classroom, or a placement shall be provided to give the student instructional support."; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **HB 2304** be passed.

Also, **HB 2087** 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 2114**; **Sub HB 2121** be passed.

Also, **HB 2016** be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2016," as follows:

"Senate Substitute for HOUSE BILL NO. 2016

By Committee on Judiciary

"AN ACT concerning civil actions and civil procedure; enacting the act against abusive access litigation; creating a civil action for determining whether litigation that alleges any access violation under the Americans with disabilities act or similar law constitutes abusive litigation and authorizing penalties for such abusive litigation.";

And the substitute bill be passed.

HB 2350, As Amended by House Committee, be amended on page 1, by striking all in lines 7 through 12; in line 13, by striking all before the period and inserting "moving, concealing, harboring or shielding from detection an alien with knowledge or reckless disregard of the fact that such alien has come to, entered or remains in the United States in violation of the law in exchange for anything of value"; in line 14, by striking the colon; by striking all in lines 15 through 18; in line 19, by striking "(C)"; in line 27, after "(c)" by inserting "The provisions of subsection (a) shall not apply to:

(1) Transporting, moving, concealing, harboring or shielding from detection an alien that is expressly permitted by federal law; or

(2) a religious denomination with a bona fide nonprofit, religious organization in the United States or the agents or officers of such denomination or organization that encourages, invites, calls, allows or enables an alien who is present in the United States to perform the vocation of a minister or missionary for the denomination or organization in the United States as a volunteer who is not compensated other than the provision of room, board, travel, medical assistance and other basic living expenses if the alien has been a member of the denomination or organization for not less than one year.

(d) (1) The determination of whether an alien has come to, entered or remains in the United States in violation of the law shall be made by the federal government pursuant to 8 U.S.C. § 1373(c). No state, county or local law enforcement officer shall

independently determine whether an alien is present in the United States in violation of the law.

(2) A law enforcement officer or agency shall not consider a person's race, color or national origin when enforcing this section.

(e)"; and the bill be passed as amended.

Committee on **Local Government** recommends **HB 2323** be amended on page 1, in line 12, after "or" by inserting ", except as otherwise provided,"; also in line 12, after "the" by inserting "effective"; in line 13, after the period by inserting "The city shall notify the fire district of such annexation by certified mail within 10 days of the effective date of such annexation. If such notice is not mailed by certified mail within the prescribed time period, the land annexed by such city shall continue to be within and a part of the fire district until an agreement transferring such land is approved pursuant to this section or one year from the date that such notice is mailed."; in line 20, after the period by inserting "Ownership of any property of the fire district, including, but not limited to, any land and any structures, fixtures, vehicles, equipment or other tangible personal property located on such land shall only be transferred to such city in accordance with a written agreement executed by the fire district."; in line 21, after "the" by inserting "effective"; also in line 21, by striking the comma and inserting "or, if applicable, one year from the date that notice of such annexation was mailed to the fire district, then, upon the filing of notice with the county clerk by the city clerk that no such agreement has been submitted,"; in line 23, after "city" by inserting "for purposes of providing fire services. Such detachment and transfer shall be effective for purposes of taxation on January 1 of the immediately succeeding year"; and the bill be passed as amended.

Committee on **Public Health and Welfare** recommends **HB 2288**, As Amended by House Committee, be passed.

Also, **HB 2390** be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2390," as follows:

"Senate Substitute for HOUSE BILL NO. 2390

By Committee on Public Health and Welfare

"AN ACT concerning the secretary of health and environment; relating to drug overdoses; requiring the secretary of health and environment to study overdose deaths; providing for the confidentiality of acquired and compiled records; restricting the powers of the secretary of health and environment and local health officers to control the introduction and spread of infectious or contagious diseases; repealing the authority of the secretary to order individuals to isolate or quarantine and impose penalties for violations thereof; amending K.S.A. 65-116g, 65-118, 65-119, 65-128, 65-129b and 65-129d and K.S.A. 2022 Supp. 65-101, 65-202 and 72-5180 and repealing the existing sections; also repealing K.S.A. 65-126, 65-127, 65-129 and 65-129c.";

And the substitute bill be passed.

HB 2125, As Amended by House Committee of the Whole, be amended on page 3, following line 33, by inserting:

"Sec. 4. K.S.A. 65-1904a is hereby amended to read as follows: 65-1904a. (a) Any licensed cosmetologist, esthetician, electrologist, manicurist, or person desiring to establish a salon or clinic shall make application, on a form provided, to the Kansas state board of cosmetology, accompanied by the new salon or clinic license fee established under K.S.A. 65-1904, and amendments thereto. Upon filing of the

application, the board shall inspect the equipment as to safety and sanitary condition of the premises and if the equipment and premises are found to comply with the rules and regulations of the secretary of health and environment and the rules and regulations of the Kansas state board of cosmetology, the board shall issue a new salon or clinic license. An adult care home, as defined in K.S.A. 39-923, and amendments thereto, or a long-term care unit of a medical care facility, as defined in K.S.A. 65-425, and amendments thereto, shall be exempted from the provisions of this section.

(b) ~~Nothing herein contained in this section~~ shall be construed as preventing any licensed cosmetologist, manicurist, esthetician or electrologist from practicing in the field for which licensed in such licensee's private home or residence if the home or residence complies with rules and regulations of the secretary and the state board. A licensed cosmetologist, manicurist, esthetician or electrologist may provide services in the field in which licensed in a place other than the licensed salon or clinic or a private home or residence of the licensed cosmetologist, manicurist, esthetician or electrologist. Excluding services provided by a licensed cosmetologist, manicurist, esthetician or electrologist in a ~~health care healthcare~~ facility, hospital or ~~nursing home adult care home~~ or in the residence of a person requiring home care arising from physical or mental disabilities, in order to provide such services, such licensed cosmetologist, manicurist, esthetician or electrologist shall:

(1) Be employed in a salon or clinic or in the licensed cosmetologist's, manicurist's, esthetician's or electrologist's private home or residence for at least 51% of the total hours per week employed; and shall

(2) attest by affidavit that such cosmetology, manicuring, esthetics or electrology services shall be provided only in the residence or office of the person receiving services.

(c) Licensed salons and clinics may be reinspected in accordance with a schedule determined by the board by rules and regulations or upon a complaint made to the board that such salon or clinic is not being maintained in compliance with rules and regulations of the board. The license shall expire one year from the last day of the month of its issuance. Any such license may be renewed upon application accompanied by the salon or clinic license renewal fee made to the board prior to the expiration date of the license. Any license may be renewed by the applicant within 60 days after the date of expiration of the last license upon payment of the annual renewal fee plus the delinquent renewal fee.

(d) ~~On or after July 1, 2014,~~ Salon and clinic renewal application fees ~~will shall~~ be prorated to reflect an expiration date one year from the last day of the month of the initial issuance of the license.":

On page 4, following line 30, by inserting:

"Sec. 7. K.S.A. 74-1807 is hereby amended to read as follows: 74-1807. (a) Upon presentation of proper credentials, any member of the board, the administrative officer or the board's inspectors shall have the authority to enter, inspect and enforce rules and regulations pertaining to barber shops, barber schools or barber colleges at any time during business hours.

(b) The provisions of this section shall not include or apply to an adult care home, as defined in K.S.A. 39-923, and amendments thereto, or a long-term care unit of a medical care facility, as defined in K.S.A. 65-425, and amendments thereto.":

Also on page 4, in line 31, after "K.S.A." by inserting "65-1904a,"; also in line 31, by

striking "and" and inserting a comma; also in line 31, after "65-1946" by inserting "and 74-1807";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "concerning" by inserting "health and healthcare; relating to the practice of cosmetology and barbering; powers, duties and functions of"; also in line 1, by striking all after the semicolon; in line 2, by striking all before "requiring"; in line 10, after the semicolon by inserting "exempting adult care homes from statutes governing cosmetology and barbering facilities;"; also in line 10, after "K.S.A." by inserting "65-1904a,"; also in line 10, by striking "and" and inserting a comma; in line 11, after "65-1946" by inserting "and 74-1807"; and the bill be passed as amended.

HB 2338 be amended on page 1, in line 7, by striking "(a)"; by striking all in lines 15 through 33;

Also on page 1, in the title, in line 2, by striking all after "week"; by striking all in line 3; in line 4, by striking all before the period; and the bill be passed as amended.

Committee on **Transparency and Ethics** recommends **SB 301** be amended on page 1, in line 18, after "(b)" by inserting "Except as provided by subsection (f),";

On page 2, following line 20, by inserting:

"(f) The annual filing requirements of paragraphs (b)(3), (4) and (5) shall not apply to elected or appointed officers of a township or school district.";

On page 1, in the title, in line 3, after the semicolon by inserting "exempting elected or appointed officers of townships or school districts from such annual filing requirements;"; and the bill be passed as amended.

Committee on **Transportation** recommends **HB 2147**, As Amended by House Committee of the Whole, be amended on page 8, in line 38, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

Also, **HB 2160**, As Amended by House Committee, be amended on page 1, in line 30, after "stakes" by inserting ", side boards"; and the bill be passed as amended.

On motion of Senator Alley, the Senate adjourned until 2:30 p.m., Thursday, March 23, 2023.

Journal of the Senate

FIFTIETH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, March 23, 2023, 2:30 p.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 38 senators present.
Senators Kerschen and Shallenburger were excused.
Invocation by Reverend Cecil T. Washington:

Avoiding The Frog In The Pan Predicament
Proverbs 29:18

Heavenly Father, the prayer today rises from a heart that's saddened by the rise of widespread evil, a prevailing resistance to Your will and Your way. In Proverbs 29:18, You warn that "where there is no vision no ability to see from Your perspective, the people perish."

I'm reminded of the frog in a pan of boiling water. Had he realized what was coming, had he seen his pending destruction, he could have escaped. He could've gotten out of there before it was too late. Lord, are we like that frog, becoming more and more comfortable with sin and not really seeing the predicament we're in? Is there among us, a growing tolerance with attitudes and actions that are not acceptable to You?

I think of how my Grandmother would react if she was to see what we allow today. A wise person once said, "What we tolerate in moderation, those coming behind us will allow in excess." It's been well said that evil increases when good people see it but do nothing about it.

So, Lord, give us more wisdom than that frog. For the sake of our families and all the people we serve help us, particularly those of us in responsible positions, to not only see the predicament we are in but to sound the alarm and not back down from taking a stand.

I come to You Lord, in the precious Name of Jesus, Amen!

The Pledge of Allegiance was led by Vice President Wilborn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

SB 322, AN ACT concerning gaming; relating to sports wagering; authorizing any compact with a federally recognized Indian tribe to include provisions governing sports wagering outside the boundaries of Indian lands; amending K.S.A. 2022 Supp. 46-2305 and repealing the existing section, by Committee on Federal and State Affairs.

POINT OF PERSONAL PRIVILEGE

Senator Faust-Goudeau rose on a Point of Personal Privilege to recognize her guests Azeb Telele and Kouassi Kesse.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Faust-Goudeau and Blasi introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1717—

A RESOLUTION recognizing Storytime Village, Inc., for its work
in giving young Kansas children the opportunity
for a better future through its literacy programs.

WHEREAS, According to the Annie E. Casey Foundation, children who are proficient in reading by the end of third grade are more likely to graduate from high school and be economically successful in adulthood; and

WHEREAS, A 2022 study conducted by the Annie E. Casey Kids Count Data Center revealed that 64% of White, 83% of Hispanic and 85% of Black fourth graders in Kansas scored below the "proficient" reading level; and

WHEREAS, Many underserved populations in Kansas are lacking the quality literacy skills essential for future success in school and life; and

WHEREAS, Storytime Village, Inc., under the leadership of founder and CEO Prisca Barnes, has been working since 2009 to help Kansas children, beginning at birth through age eight, thrive through partnerships that provide early childhood development, family engagement involving reading, access to books, advocacy and awareness; and

WHEREAS, With the support of parents and the help of many dedicated volunteers, Storytime Village, Inc., inspires children to read, regardless of their socio-economic background, race or gender, by providing them free books and literacy resources; and

WHEREAS, In 2016, Storytime Village, Inc., launched their Literacy Champions program, a high school leadership program that empowers and inspires students to volunteer and gain leadership skills as they impact the literacy issue in their communities; and

WHEREAS, March 23, 2023, is designated as the 6th Annual Literacy Day at the Capitol, which will address the literacy achievement gap in Kansas by focusing on early literacy and mobilizing high school students to raise their voices through meetings with legislators, panel discussions and an advocacy workshop, with the theme: "Right from the Start: Helping our Youngest Thrive through Literacy": Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we recognize Storytime Village, Inc., for its work in giving young Kansas children the opportunity for a better future through its literacy programs; and

Be it further resolved: That the Secretary of the Senate shall send enrolled copies of this resolution to Prisca Barnes and Senator Faust Goudeau.

On emergency motion of Senator Faust Goudeau **SR 1717** was adopted by voice vote.

Special guests present were: Prisca Barnes, Alexis Scott, Tasha Hayes, Chartell Hayes, Amya Williams, Malaki Coleman and Paris Cunningham.

Senators Bowers and Wilborn introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1718—

A RESOLUTION honoring the lives lost during the construction of the Kansas State Capitol.

WHEREAS, The Kansas State Capitol was constructed between 1866 and 1903; and
WHEREAS, When the Kansas State Capitol was built, the construction field lacked basic safety standards; and

WHEREAS, Construction workers in the late 19th and early 20th centuries worked in one of the most challenging and dangerous employment fields; and

WHEREAS, The construction of the Kansas State Capitol and, in particular, the Capitol's dome came at a tragic and fatal cost; and

WHEREAS, The Kansas State Capitol construction workers completed tasks from dizzying heights with heavy machinery and little to no safety precautions; and

WHEREAS, At least seven construction workers lost their lives building the Kansas State Capitol; and

WHEREAS, According to information on the Capitol provided by the Kansas State Historical Society and the Kansas State Library, Young Campbell was a 58-year-old stone mason from Topeka and married with seven children. Campbell was attempting to move a large stone with a wheelbarrow around a corner scaffolding. Unfortunately, the wheelbarrow tipped, causing Campbell to tragically fall from the scaffolding. He passed away on August 16, 1886; and

WHEREAS, Major Hiram W. Jones was a 67-year-old timekeeper from Lawrence and married with three children. Jones was working when a horse-drawn block, tackle and derrick system, which was constructed to hoist heavy stone and ironworks, collapsed. A falling stone and broken cable then hit Jones, and consequently, he passed away on October 6, 1887. Jones is buried at Oak Hill Cemetery in Lawrence; and

WHEREAS, William "Billy" Cullins was a 24-year-old machinist from Vermont and was to be married had tragedy not struck five days before his wedding date. Cullins passed away from a collapsed scaffolding on November 20, 1888. Cullins is buried at the Historic Topeka Cemetery; and

WHEREAS, Charles Ewing Howell was a 23-year-old iron worker from Leavenworth. Howell passed away after falling from the South Wing roof on September 21, 1889. Howell is buried at Mount Muncie Cemetery in Lansing; and

WHEREAS, Jack Williams was a 21-year-old electric motor operator from Topeka. Williams operated the new electric winch motor installed at the uppermost level of the dome to hoist heavy stone and ironworks. Williams fell to his death while attempting to climb down at the end of his workday on May 24, 1890; and

WHEREAS, John Cave was a 24-year-old iron worker from Scottsville and married with children. Cave was sitting astride the outer rim of the dome and tightening a bolt with a wrench so large that it required the use of both hands and all of his weight behind it. The wrench slipped, causing Cave to fall over the outside of the dome, through a skylight and into the North Wing below. Cave passed away on July 26, 1890; and

WHEREAS, Myrtie Deegan was a 48-year-old iron worker from Topeka and married with two children. Deegan was working inside the dome when he stepped on a loose, round piece of iron and fell to the rotunda, thus meeting an untimely death on

December 9, 1890; and

WHEREAS, During the construction of the Kansas State Capitol, newspapers had reported another unidentifiable death that likely occurred in 1890; and

WHEREAS, Brave construction workers continued their honest and admirable work to ensure that the Kansas State Capitol was built, even after witnessing the horrific and devastating deaths of their fellow tradesmen and knowing that their work posed serious risks and some assignments were fraught with peril; and

WHEREAS, The selfless tradesmen who gave their lives to build the Kansas State Capitol have been forgotten for too long; Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we honor the lives lost during the construction of the Kansas State Capitol; and

Be it further resolved: That we never forget the sacrifices that these construction workers made in constructing one of the most historic buildings in the State of Kansas; and

Be it further resolved: That the Secretary of the Senate shall send 10 enrolled copies of this resolution to Senator Bowers.

On emergency motion of Senator Bowers **SR 1718** was adopted by voice vote.

On motion of Senator Alley, the Senate recessed until the sound of the gavel.

The Senate met pursuant to recess with Vice President Wilborn in the chair.

CONSIDERATION OF APPOINTMENTS

In accordance with Senate Rule 55, the following appointments submitted to the Senate for confirmation were considered:

Senator Alley moved the following appointments be confirmed as recommended by the Governor.

By the Governor

On the appointment to the:

Kansas Air National Guard:

Jason Knobbe, None

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Kerschen, Shallenburger.

The appointment was confirmed.

By the Governor

On the appointment to the:

Department of Administration:

Adam Proffitt, at the pleasure of the governor

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kloos,

Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Kerschen, Shallenburger.

The appointment was confirmed.

By the Governor

On the appointment to the:

Kansas Historical Society:

Patrick Zollner, at the pleasure of the governor

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 36; Nays 2; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Baumgardner, Tyson.

Absent or Not Voting: Kerschen, Shallenburger.

The appointment was confirmed.

The Call was lifted.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

HB 2042, AN ACT concerning self-service storage facilities; authorizing the towing by operators of such facilities of motor vehicles, watercraft or trailers if the occupant is in default for more than 60 days; granting operators protection from liability for damages; extinguishing an operator's lien on such property upon towing; providing for notice to the occupant and opportunity for redemption prior to towing; adding self-service storage facility operators to those persons who are specifically authorized to direct a wrecker or towing service to tow a motor vehicle for purposes of the creation of a lien in favor of a wrecker or towing service; amending K.S.A. 8-1103 and K.S.A. 2022 Supp. 58-817 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Kerschen, Shallenburger.

The bill passed, as amended.

HB 2092, AN ACT concerning municipal universities; relating to the membership of the Washburn university board of regents; reapportioning the districts of certain members thereof; amending K.S.A. 13-13a04 and 13-13a05 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle,

Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Kerschen, Shallenburger.

The bill passed.

HB 2093, AN ACT concerning insurance; relating to certain group-funded insurance pools; discontinuing payments paid to the group-funded pools fee fund and the group-funded workers' compensation fee fund; transferring such balances and abolishing such funds; establishing the group-funded pools refund fund; refunding the balance thereof and abolishing such fund on July 1, 2024; amending K.S.A. 44-588 and repealing the existing section; also repealing K.S.A. 12-2623 and 44-587, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Kerschen, Shallenburger.

The bill passed, as amended.

HB 2094, AN ACT concerning insurance; relating to health maintenance organizations and medicare provider organizations; applications for certificates of authority; specifying certain requirements necessary to demonstrate fiscal soundness; amending K.S.A. 40-3203 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Kerschen, Shallenburger.

The bill passed, as amended.

HB 2130, AN ACT concerning the Kansas probate code; increasing certain dollar amounts; relating to allowance to spouse and minor children; supplemental elective share amount; transfers within two years of death; homestead or homestead allowance; payment of benefits to certain relatives; small estates affidavit for personal property; remission of court costs for small estates; exhibition of demands and allowance without a hearing; refusal to grant letters of administration; appealable orders and bond; requests for transfer from magistrate to district judge; adjusting time requirements linked to notice by publication and mailing; relating to hearing dates; sales at public auction; clarifying how property held under a transfer-on-death deed is distributed when one beneficiary predeceases the grantor; amending K.S.A. 59-6a202, 59-6a205, 59-1507a, 59-2209, 59-2215, 59-2237 and 59-2308 and K.S.A. 2022 Supp. 59-403, 59-6a215, 59-1507b, 59-2287, 59-2401, 59-2402a and 59-3504 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll,

Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Kerschen, Shallenburger.

The bill passed, as amended.

HB 2131, AN ACT concerning the judicial council; relating to duties and mission; amending K.S.A. 20-2203 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Kerschen, Shallenburger.

The bill passed, as amended.

S Sub HB 2344, AN ACT concerning the department of health and environment; relating to licensure of child care facilities; day care homes and child care centers; establishing license capacity and staff-to-child ratios; lowering license fees and training requirements; creating a process for day care facility licensees to apply for a temporary waiver of certain statutory requirements; authorizing the secretary to develop and operate pilot programs to increase child care facility availability and capacity; amending K.S.A. 65-503, 65-505 and 65-508 and K.S.A. 2022 Supp. 48-3406 and repealing the existing sections, was considered on final action.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 21; Nays 17; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Billinger, Blasi, Bowers, Claeys, Erickson, Fagg, Gossage, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Ryckman, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Baumgardner, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, McGinn, Pettey, Pittman, Pyle, Reddi, Steffen, Sykes, Ware.

Absent or Not Voting: Kerschen, Shallenburger.

The substitute bill passed, as amended.

The Call was lifted.

EXPLANATION OF VOTE

I vote "NO" on **S Sub HB 2344**. Packing more babies into cribs, decreasing square footage requirements and reducing supervisory overhead will only insure more physical and emotional trauma and sexual abuse of Kansas kids in child care settings. Let's allow ALL stakeholders to weigh in and put the appropriate and necessary policies in place so that this critical issue gets addressed properly the first time. Kansas kids are our legacy – for their sakes, let's get this right!—TOM HOLLAND

I passed on the vote and then voted "NO" because it's not daycare issues that mire our state in dysfunction. It is the degradation of our traditional family and its inherent value system. Our focus, as is so common in our government, is on the wrong issue.

With God and family, our society thrives.—MARK STEFFEN

I don't think a single person in this body would argue against the assertion that childcare is out of reach for too many Kansas families. This bill is not the solution, because it doesn't even begin to touch the problem. By removing safety regulations, increasing ratios, and adding legislative barriers, this bill has the potential to create more childcare slots. But the issue is not the number of slots – in fact, our state has a surplus of over 11,000 slots. The biggest barrier to childcare for Kansas families is affordability, and this bill does absolutely nothing to address that, and instead will make these facilities less safe for those who are able to access them. Our kids deserve better. I vote "NO."—DINAH SYKES

Senators Francisco and Pettey request the record to show they concur with the "Explanation of Vote" offered by Senator Sykes on **S Sub HB 2344**.

COMMITTEE OF THE WHOLE

On motion of Senator Alley, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Billinger in the chair.

On motion of Senator Billinger the following report was adopted:

The committee report on **SB 55** recommending **Sub SB 55** be adopted, and the substitute bill be passed.

HB 2096, HB 2097, HB 2098, HB 2100, HB 2214, HB 2285, HB 2298 be amended by the adoption of the committee amendments, and the bills be passed as amended.

MESSAGE FROM THE HOUSE

Announcing passage of **SB 15**, as amended; **SB 18**, as amended; **SB 28**, as amended; **SB 106**, as amended.

Also, announcing passage of **SB 208**, as amended by **H Sub SB 208**.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator Longbine the Senate nonconcurred in the House amendments to **SB 15** and requested a conference committee be appointed.

The Vice President appointed Senators Longbine, Fagg and Holscher as a conference committee on the part of the Senate.

On motion of Senator Longbine the Senate nonconcurred in the House amendments to **SB 18** and requested a conference committee be appointed.

The Vice President appointed Senators Longbine, Fagg and Holscher as a conference committee on the part of the Senate.

On motion of Senator Longbine the Senate nonconcurred in the House amendments to **SB 28** and requested a conference committee be appointed.

The Vice President appointed Senators Longbine, Fagg and Holscher as a conference committee on the part of the Senate.

On motion of Senator Petersen the Senate nonconcurred in the House amendments to **SB 106** and requested a conference committee be appointed.

The Vice President appointed Senators Petersen, Kloos and Corson as a conference committee on the part of the Senate.

REPORTS OF STANDING COMMITTEES

Committee on **Agriculture and Natural Resources** recommends **HB 2302** be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2302," as follows:

"Senate Substitute for HOUSE BILL NO. 2302

By Committee on Agriculture and Natural Resources

"AN ACT concerning water; relating to funding for the state water plan and water infrastructure projects; making and concerning appropriations for the fiscal year ending June 30, 2023, and June 30, 2024, for the state treasurer; providing for a transfer of moneys from the state general fund to the state water plan fund; creating the water technical assistance fund and water projects grant fund; authorizing the Kansas water office to provide grants from such funds and adopt rules and regulations to establish the criteria for grants from such funds; amending K.S.A. 82a-951 and repealing the existing section.";

And the substitute bill be passed.

Committee on **Federal and State Affairs** recommends **SB 303**; **HB 2269** be passed.

Also, **SB 291**, As Amended by Senate Committee, be amended by adoption of the amendments recommended by Senate Committee on Federal and State Affairs as reported in the journal of the Senate on March 15, 2023, and the bill, as printed As Amended by Senate Committee be further amended on page 1, in line 24, by striking "7" and inserting "6";

On page 3, in line 26, after the period by inserting "'System" does not include participant-directed individual account plans.";

On page 5, by striking all in lines 20 through 43;

On page 6, by striking all in lines 1 through 30;

And by renumbering sections accordingly;

On page 1, in the title, in line 11, by striking all after the semicolon; in line 12, by striking "advisers to"; by striking all in lines 15 and 16; in line 17, by striking all before "providing"; and the bill be passed as amended.

HB 2059, As Amended by House Committee, be amended on page 1, following line 6, by inserting:

"Section 1. K.S.A. 41-306 is hereby amended to read as follows: 41-306. A spirits distributor's license, shall allow:

(a) The wholesale purchase, importation and storage of spirits, but all such spirits so purchased or imported which are manufactured in the United States shall be purchased from the primary American source of supply or from another licensed spirits distributor, except that a licensed spirits distributor may purchase confiscated spirits at a sheriff's sale.

(b) The sale of spirits to:

(1) Spirits distributors licensed in this state;

(2) retailers licensed in this state, except that such distributor shall sell a brand of spirits only to those retailers whose licensed premises are located in the geographic territory within which such distributor is authorized to sell such brand, as designated in the notice or notices filed with the director pursuant to K.S.A. 41-410, and amendments thereto; and

(3) such persons located outside such territory or outside this state as permitted by law.

(c) The purchase of spirits in barrels, casks or other bulk containers and the bottling thereof before resale, but all bottles or containers filled with such spirits shall be sealed, labeled and otherwise made to comply with all laws and rules and regulations governing the preparation and bottling of spirits by manufacturers and with all federal rules, regulations and laws.

(d) The storage and delivery to a retailer licensed under the Kansas liquor control act or a retailer licensed under K.S.A. 41-2702, and amendments thereto, on the distributor's licensed premises, of alcoholic liquor or cereal malt beverage of another licensed distributor authorized by law to sell such alcoholic liquor or cereal malt beverage to such retailer, in accordance with an agreement entered into with such other distributor and approved by the director.

(e) The storage and delivery to a public venue licensed under the club and drinking establishment act of alcoholic liquor purchased by the public venue licensee from a retailer authorized by law to sell such alcoholic liquor to such public venue licensee.

(f) The withdrawal of spirits from such licensee's inventory for use as samples in the course of the business of the distributor or at industry seminars. Samples may only be provided to persons licensed as a distributor or a retailer under the Kansas liquor control act, and such person's employees or to persons licensed under the club and drinking establishment act and such persons' employees. Samples may be served on the licensed premises of the licensee, or on the premises of a licensed retailer, ~~provided~~ except that no sample shall be served on that portion of the premises of a licensed retailer that is open to the public and where sales of alcoholic liquor at retail are made. Only products that have not been purchased from the distributor licensee by the retailer or club and drinking establishment act licensee within the previous 12 months may be provided for sampling pursuant to this subsection. No sample shall be provided to any minor. Nothing in this subsection shall be construed to permit the licensee to sell any alcoholic liquor for consumption on the premises. The withdrawal of spirits shall be subject to the tax imposed by K.S.A. 79-4101 et seq., and amendments thereto, based on the applicable current posted bottle or case price. For purposes of ~~providing samples pursuant to this subsection other than at industry seminars or to the licensee's employees, the term "sample" shall have the same meaning as that term is defined in K.S.A. 41-2601, and amendments thereto~~ this subsection, "sample" means not more than three liters of distilled spirits.

Sec. 2. K.S.A. 41-306a is hereby amended to read as follows: 41-306a. A wine distributor's license shall allow:

(a) The wholesale purchase, importation and storage of wine, but all wine so purchased or imported which is manufactured in the United States shall be purchased from the primary American source of supply or from another licensed wine distributor, except that a licensed wine distributor may purchase confiscated wine at a sheriff's sale.

(b) The sale of wine to:

(1) Wine distributors licensed in this state;

(2) retailers licensed in this state, except that such distributor shall sell a brand of wine only to those retailers whose licensed premises are located in the geographic territory within which such distributor is authorized to sell such brand, as designated in the notice or notices filed with the director pursuant to K.S.A. 41-410, and amendments thereto; and

(3) such persons located outside such territory or outside this state as permitted by

law.

(c) The sale of wine, but only in barrels, casks and other bulk containers, to:

(1) Licensed caterers; and

(2) public venues, clubs and drinking establishments licensed in this state, except that such distributor shall sell a brand of wine only to such public venues, clubs and drinking establishments the licensed premises of which are located in the geographic territory within which such distributor is authorized to sell such brand, as designated in the notice or notices filed with the director pursuant to K.S.A. 41-410, and amendments thereto.

(d) The purchase of wine in barrels, casks or other bulk containers and the bottling thereof before resale, but all bottles or containers filled with such wine shall be sealed, labeled and otherwise made to comply with all laws and rules and regulations governing the preparation and bottling of wine by manufacturers and with all federal rules, regulations and laws.

(e) The storage and delivery to a retailer licensed under the Kansas liquor control act or a retailer licensed under K.S.A. 41-2702, and amendments thereto, on the distributor's licensed premises, of alcoholic liquor or cereal malt beverage of another licensed distributor authorized by law to sell such alcoholic liquor or cereal malt beverage to such retailer, in accordance with an agreement entered into with such other distributor and approved by the director.

(f) The withdrawal of wine from such licensee's inventory for use as samples in the course of the business of the distributor or at industry seminars. Samples may only be provided to persons licensed as a distributor or a retailer under the Kansas liquor control act, and such person's employees, or to persons licensed under the club and drinking establishment act, and such person's employees. Samples may be served on the licensed premises of the licensee, or on the premises of a licensed retailer, provided no sample shall be served on that portion of the premises of a licensed retailer that is open to the public and where sales of alcoholic liquor at retail are made. Samples may be served on the premises of a licensee holding a license issued under the club and drinking establishment act, provided no sample shall be served on that portion of the premises that is open to the public and where sales of alcoholic liquor are made. Only products that have not been purchased from the distributor licensee by the retailer or club and drinking establishment licensee within the previous 12 months may be provided for sampling pursuant to this subsection. No sample shall be provided to any minor. Nothing in this subsection shall be construed to permit the licensee to sell any alcoholic liquor for consumption on the premises. The withdrawal of wine shall be subject to the tax imposed by K.S.A. 79-4101 et seq., and amendments thereto, based on the applicable current posted bottle or case price. ~~For purposes of providing samples pursuant to this subsection other than at industry seminars or to the licensee's employees, the term of this subsection, "sample" shall have the same meaning as that term is defined in K.S.A. 41-2601, and amendments thereto means not more than three liters of any brand of wine.~~

(g) This section shall be a part of and supplemental to the Kansas liquor control act.

Sec. 3. K.S.A. 41-307 is hereby amended to read as follows: 41-307. A beer distributor's license shall allow:

(a) The wholesale purchase, importation and storage of beer.

(b) The sale of beer to:

(1) Licensed caterers;
(2) beer distributors licensed in this state;
(3) retailers, public venues, clubs and drinking establishments, licensed in this state, except that such distributor shall sell a brand of beer only to those retailers, public venues, clubs and drinking establishments of which the licensed premises are located in the geographic territory within which such distributor is authorized to sell such brand, as designated in the notice or notices filed with the director pursuant to K.S.A. 41-410, and amendments thereto; and

(4) such persons located outside such territory or outside this state as permitted by law.

(c) The sale of cereal malt beverage to:

(1) Beer distributors licensed in this state;

(2) clubs and drinking establishments, licensed in this state, and retailers licensed under K.S.A. 41-2702, and amendments thereto, except that such distributor shall sell a brand of cereal malt beverage only to those such clubs, drinking establishments and retailers of which the licensed premises are located in the geographic territory within which such distributor is authorized to sell such brand, as designated in the notice or notices filed with the director pursuant to K.S.A. 41-410, and amendments thereto;

(3) retailers; and

(4) such persons located outside such territory or outside this state as permitted by law.

(d) The sale of beer containing not more than 6% alcohol by volume to cereal malt beverage retailers licensed pursuant to K.S.A. 41-2702, and amendments thereto.

(e) The purchase of cereal malt beverage in kegs or other bulk containers and the bottling or canning thereof in accordance with law.

(f) The storage and delivery to a retailer licensed under the Kansas liquor control act or a retailer licensed under K.S.A. 41-2702, and amendments thereto, on the distributor's licensed premises, of alcoholic liquor or cereal malt beverage of another licensed distributor authorized by law to sell such alcoholic liquor or cereal malt beverage to such retailer, in accordance with an agreement entered into with such other distributor and approved by the director.

(g) The storage and delivery, with proper invoicing in accordance with rules and regulations adopted by the secretary, on the premises of a public venue licensee, of beer sold to or available for purchase by the public venue during an event.

(h) The withdrawal of beer or cereal malt beverage from such licensee's inventory for use as samples in the course of the business of the distributor or at industry seminars. Samples may only be provided to persons licensed as a distributor or a retailer under the Kansas liquor control act, and such person's employees, or to persons licensed under the club and drinking establishment act, and such person's employees. Samples may be served on the licensed premises of the licensee, or on the premises of a licensed retailer, provided no sample shall be served on that portion of the premises of a licensed retailer that is open to the public and where sales of alcoholic liquor at retail are made. Samples may be served on the premises of a licensee holding a license issued under the club and drinking establishment act, provided no sample shall be served on that portion of the premises that is open to the public and where sales of alcoholic liquor are made. Only products that have not been purchased from the distributor licensee by the retailer or club and drinking establishment act licensee within the previous 12 months may be

provided for sampling pursuant to this subsection. No sample shall be provided to any minor. Nothing in this subsection shall be construed to permit the licensee to sell any alcoholic liquor for consumption on the premises. The withdrawal of beer or cereal malt beverage shall be subject to the tax imposed by K.S.A. 79-4101 et seq., and amendments thereto, based on the applicable current posted bottle or case price. For purposes of ~~providing samples pursuant to this subsection other than at industry seminars or to the licensee's employees, the term this subsection, "sample" shall have the same meaning as that term is defined in K.S.A. 41-2601, and amendments thereto~~ means not more than three gallons of any brand of beer or cereal malt beverage.;

Also on page 1, in line 7, before "K.S.A." by inserting "On and after July 1, 2023,";

On page 3, following line 12, by inserting:

"Sec. 5. K.S.A. 41-306, 41-306a and 41-307 are hereby repealed.";

Also on page 3, in line 13, before "K.S.A." by inserting "On and after July 1, 2023,"; in line 15, by striking "statute book" and inserting "Kansas register";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after the semicolon by inserting "relating to spirits, wine and beer distributors; regulating samples;"; in line 3, after "K.S.A." by inserting "41-306, 41-306a, 41-307 and"; in line 4, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 265** be passed.

Also, **HB 2010** be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2010," as follows:

"Senate Substitute for HOUSE BILL NO. 2010

By Committee on Judiciary

"AN ACT concerning crimes, punishment and criminal procedure; relating to trials; updating a statutory cross reference related to persons found not guilty by reason of mental disease or defect; pertaining to housing, jury instructions and annual hearings on continued commitment; relating to criminal discharge of a firearm; increasing the penalty for violations when a person was present in the dwelling, building, structure or motor vehicle at which the offender discharged a firearm; enacting the reduce armed violence act; increasing criminal penalties for certain violations of criminal possession of a weapon by a convicted felon that involve firearms; relating to sentencing; allowing certain nondrug offenders to participate in a certified drug abuse treatment program; relating to postrelease supervision; providing that such term does not toll except as provided by law; amending K.S.A. 12-736 and K.S.A. 2022 Supp. 21-6308, 21-6804, 21-6824, 22-3428, 22-3428a and 22-3722 and repealing the existing sections.";

And the substitute bill be passed.

HB 2293, As Amended by House Committee, be amended on page 1, in line 6, after "of" by inserting "section 1 of"; in line 10, before "Section" by inserting "New"; on page 3, in line 3, by striking all after "shall"; by striking all in line 4 and inserting "not be subject to expiration or review"; in line 5, by striking ", prior to July 1, 2028"; following line 28, by inserting:

"Sec. 2. K.S.A. 45-229 is hereby amended to read as follows: 45-229. (a) It is the intent of the legislature that exceptions to disclosure under the open records act shall be created or maintained only if:

- (1) The public record is of a sensitive or personal nature concerning individuals;
- (2) the public record is necessary for the effective and efficient administration of a

governmental program; or

(3) the public record affects confidential information.

The maintenance or creation of an exception to disclosure must be compelled as measured by these criteria. Further, the legislature finds that the public has a right to have access to public records unless the criteria in this section for restricting such access to a public record are met and the criteria are considered during legislative review in connection with the particular exception to disclosure to be significant enough to override the strong public policy of open government. To strengthen the policy of open government, the legislature shall consider the criteria in this section before enacting an exception to disclosure.

(b) Subject to the provisions of subsections (g) and (h), any new exception to disclosure or substantial amendment of an existing exception shall expire on July 1 of the fifth year after enactment of the new exception or substantial amendment, unless the legislature acts to continue the exception. A law that enacts a new exception or substantially amends an existing exception shall state that the exception expires at the end of five years and that the exception shall be reviewed by the legislature before the scheduled date.

(c) For purposes of this section, an exception is substantially amended if the amendment expands the scope of the exception to include more records or information. An exception is not substantially amended if the amendment narrows the scope of the exception.

(d) This section is not intended to repeal an exception that has been amended following legislative review before the scheduled repeal of the exception if the exception is not substantially amended as a result of the review.

(e) In the year before the expiration of an exception, the revisor of statutes shall certify to the president of the senate and the speaker of the house of representatives, by July 15, the language and statutory citation of each exception that will expire in the following year that meets the criteria of an exception as defined in this section. Any exception that is not identified and certified to the president of the senate and the speaker of the house of representatives is not subject to legislative review and shall not expire. If the revisor of statutes fails to certify an exception that the revisor subsequently determines should have been certified, the revisor shall include the exception in the following year's certification after that determination.

(f) "Exception" means any provision of law that creates an exception to disclosure or limits disclosure under the open records act pursuant to K.S.A. 45-221, and amendments thereto, or pursuant to any other provision of law.

(g) A provision of law that creates or amends an exception to disclosure under the open records law shall not be subject to review and expiration under this act if such provision:

- (1) Is required by federal law;
- (2) applies solely to the legislature or to the state court system;
- (3) has been reviewed and continued in existence twice by the legislature; ~~or~~
- (4) has been reviewed and continued in existence by the legislature during the 2013

legislative session and thereafter; or

(5) is contained in the following statute: section 1(b).

(h) (1) The legislature shall review the exception before its scheduled expiration and consider as part of the review process the following:

- (A) What specific records are affected by the exception;
- (B) whom does the exception uniquely affect, as opposed to the general public;
- (C) what is the identifiable public purpose or goal of the exception;
- (D) whether the information contained in the records may be obtained readily by alternative means and how it may be obtained;

(2) an exception may be created or maintained only if it serves an identifiable public purpose and may be no broader than is necessary to meet the public purpose it serves. An identifiable public purpose is served if the legislature finds that the purpose is sufficiently compelling to override the strong public policy of open government and cannot be accomplished without the exception and if the exception:

(A) Allows the effective and efficient administration of a governmental program that would be significantly impaired without the exception;

(B) protects information of a sensitive personal nature concerning individuals, the release of such information would be defamatory to such individuals or cause unwarranted damage to the good name or reputation of such individuals or would jeopardize the safety of such individuals. Only information that would identify the individuals may be excepted under this paragraph; or

(C) protects information of a confidential nature concerning entities, including, but not limited to, a formula, pattern, device, combination of devices, or compilation of information that is used to protect or further a business advantage over those who do not know or use it, if the disclosure of such information would injure the affected entity in the marketplace.

(3) Records made before the date of the expiration of an exception shall be subject to disclosure as otherwise provided by law. In deciding whether the records shall be made public, the legislature shall consider whether the damage or loss to persons or entities uniquely affected by the exception of the type specified in paragraph (2)(B) or (2)(C) would occur if the records were made public.

(i) (1) Exceptions contained in the following statutes as continued in existence in section 2 of chapter 126 of the 2005 Session Laws of Kansas and that have been reviewed and continued in existence twice by the legislature as provided in subsection (g) are hereby continued in existence: 1-401, 2-1202, 5-512, 9-1137, 9-1712, 9-2217, 10-630, 12-189, 12-1,108, 12-1694, 12-1698, 12-2819, 12-4516, 16-715, 16a-2-304, 17-1312e, 17-2227, 17-5832, 17-7511, 17-76,139, 19-4321, 21-2511, 22-3711, 22-4707, 22-4909, 22a-243, 22a-244, 23-605, 23-9,312, 25-4161, 25-4165, 31-405, 34-251, 38-2212, 39-709b, 39-719e, 39-934, 39-1434, 39-1704, 40-222, 40-2,156, 40-2c20, 40-2c21, 40-2d20, 40-2d21, 40-409, 40-956, 40-1128, 40-2807, 40-3012, 40-3304, 40-3308, 40-3403b, 40-3421, 40-3613, 40-3805, 40-4205, 44-510j, 44-550b, 44-594, 44-635, 44-714, 44-817, 44-1005, 44-1019, 45-221(a)(1) through (43), 46-256, 46-259, 46-2201, 47-839, 47-844, 47-849, 47-1709, 48-1614, 49-406, 49-427, 55-1,102, 58-4114, 59-2135, 59-2802, 59-2979, 59-29b79, 60-3333, 60-3336, 65-102b, 65-118, 65-119, 65-153f, 65-170g, 65-177, 65-1,106, 65-1,113, 65-1,116, 65-1,157a, 65-1,163, 65-1,165, 65-1,168, 65-1,169, 65-1,171, 65-1,172, 65-436, 65-445, 65-507, 65-525, 65-531, 65-657, 65-1135, 65-1467, 65-1627, 65-1831, 65-2422d, 65-2438, 65-2836, 65-2839a, 65-2898a, 65-3015, 65-3447, 65-34,108, 65-34,126, 65-4019, 65-4922, 65-4925, 65-5602, 65-5603, 65-6002, 65-6003, 65-6004, 65-6010, 65-67a05, 65-6803, 65-6804, 66-101c, 66-117, 66-151, 66-1,190, 66-1,203, 66-1220a, 66-2010, 72-2232, 72-3438, 72-6116, 72-6267, 72-9934, 73-1228, 74-2424, 74-2433f, 74-32,419, 74-4905, 74-4909, 74-

50,131, 74-5515, 74-7308, 74-7338, 74-8104, 74-8307, 74-8705, 74-8804, 74-9805, 75-104, 75-712, 75-7b15, 75-1267, 75-2943, 75-4332, 75-4362, 75-5133, 75-5266, 75-5665, 75-5666, 75-7310, 76-355, 76-359, 76-493, 76-12b11, 76-12c03, 76-3305, 79-1119, 79-1437f, 79-3234, 79-3395, 79-3420, 79-3499, 79-34,113, 79-3614, 79-3657, 79-4301 and 79-5206.

(2) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) and that have been reviewed during the 2015 legislative session and continued in existence by the legislature as provided in subsection (g) are hereby continued in existence: 17-2036, 40-5301, 45-221(a)(45), (46) and (49), 48-16a10, 58-4616, 60-3351, 72-3415, 74-50,217 and 75-53,105.

(j) (1) Exceptions contained in the following statutes as continued in existence in section 1 of chapter 87 of the 2006 Session Laws of Kansas and that have been reviewed and continued in existence twice by the legislature as provided in subsection (g) are hereby continued in existence: 1-501, 9-1303, 12-4516a, 39-970, 65-525, 65-5117, 65-6016, 65-6017 and 74-7508.

(2) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) during 2015 and that have been reviewed during the 2016 legislative session are hereby continued in existence: 12-5611, 22-4906, 22-4909, 38-2310, 38-2311, 38-2326, 40-955, 44-1132, 45-221(a)(10)(F) and (a)(50), 60-3333, 65-4a05, 65-445(g), 65-6154, 71-218, 75-457, 75-712c, 75-723 and 75-7c06.

(k) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) and that have been reviewed during the 2014 legislative session and continued in existence by the legislature as provided in subsection (g) are hereby continued in existence: 1-205, 2-2204, 8-240, 8-247, 8-255c, 8-1324, 8-1325, 12-17,150, 12-2001, 17-12a607, 38-1008, 38-2209, 40-5006, 40-5108, 41-2905, 41-2906, 44-706, 44-1518, 45-221(a)(44), (45), (46), (47) and (48), 50-6a11, 65-1,243, 65-16,104, 65-3239, 74-50,184, 74-8134, 74-99b06, 77-503a and 82a-2210.

(l) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) during 2016 and that have been reviewed during the 2017 legislative session are hereby continued in existence: 12-5711, 21-2511, 22-4909, 38-2313, 45-221(a)(51) and (52), 65-516, 65-1505, 74-2012, 74-5607, 74-8745, 74-8752, 74-8772, 75-7d01, 75-7d05, 75-5133, 75-7427 and 79-3234.

(m) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) during 2012 and that have been reviewed during the 2013 legislative session and continued in existence by the legislature as provided in subsection (g) are hereby continued in existence: 12-5811, 40-222, 40-223j, 40-5007a, 40-5009a, 40-5012a, 65-1685, 65-1695, 65-2838a, 66-1251, 66-1805, 72-8268, 75-712 and 75-5366.

(n) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) and that have been reviewed during the 2018 legislative session are hereby continued in existence: 9-513c(c)(2), 39-709, 45-221(a)(26), (53)

and (54), 65-6832, 65-6834, 75-7c06 and 75-7c20.

(o) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) that have been reviewed during the 2019 legislative session are hereby continued in existence: 21-2511(h)(2), 21-5905(a)(7), 22-2302(b) and (c), 22-2502(d) and (e), 40-222(k)(7), 44-714(e), 45-221(a)(55), 46-1106(g) regarding 46-1106(i), 65-2836(i), 65-2839a(c), 65-2842(d), 65-28a05(n), article 6(d) of 65-6230, 72-6314(a) and 74-7047(b).

(p) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) that have been reviewed during the 2020 legislative session are hereby continued in existence: 38-2310(c), 40-409(j)(2), 40-6007(a), 45-221(a)(52), 46-1129, 59-29a22(b)(10) and 65-6747.

(q) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) that have been reviewed during the 2021 legislative session are hereby continued in existence: 22-2302(c)(4)(J) and (c)(6)(B), 22-2502(e)(4)(J) and (e)(6)(B) and 65-6111(d)(4).

Sec. 3. K.S.A. 45-229 is hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after "investigation" by inserting "; providing for confidentiality of such information; amending K.S.A. 45-229 and repealing the existing section"; and the bill be passed as amended.

Committee on **Local Government** recommends **HB 2083**, As Amended by House Committee, be passed.

Committee on **Public Health and Welfare** recommends **SB 314**; **HB 2240**, be passed.

Also, **HB 2263**, As Amended by House Committee, be amended on page 1, following line 5, by inserting:

"New Section 1. (a) An individual who had a childhood gender reassignment service performed on such individual as a child may bring a civil cause of action against the physician who performed the childhood gender reassignment service.

(1) An action against a physician pursuant to this section may be commenced not more than three years after the date the individual attains 18 years of age.

(b) As used in this section:

(1) "Childhood gender reassignment service" means performing, or causing to be performed, acts including, but not limited to, any of the following performed upon a child under 18 years of age for the purpose of attempting to affirm the child's perception of the child's sex or gender, if that perception is inconsistent with the child's sex:

(A) A surgery that sterilizes or is intended to result in sterilization, including, but not limited to, castration, vasectomy, hysterectomy, oophorectomy, orchiectomy and penectomy;

(B) a surgery that artificially constructs tissue with the appearance of genitalia, including, but not limited to, metoidioplasty, phalloplasty and vaginoplasty;

(C) a mastectomy;

(D) prescribing, dispensing, administering or otherwise supplying the following medications:

- (i) Puberty-blocking medication to delay, hinder, stop or reverse normal puberty;
- (ii) supraphysiologic doses of testosterone to females; or
- (iii) supraphysiologic doses of estrogen to males; or
- (E) removing any body part or tissue.
- (2) "Physician" means a person licensed by the board of healing arts to practice medicine and surgery.
- (3) "Sex" means the biological state of being female or male based on the individual's sex organs, chromosomes and endogenous hormone profiles.
- (4) "Supraphysiologic doses" means a pharmacologic dosage regimen that produces blood concentrations greater than the accepted range for a child's age and sex.
- (c) The provisions of this section shall not apply if the child was born with a medically verifiable disorder of sex development, including, but not limited to:
 - (1) A child with external biological sex characteristics that are irresolvably ambiguous, such as a child born having 46,XX chromosomes with virilization, 46,XY chromosomes with undervirilization or both ovarian and testicular tissue; or
 - (2) when a physician has otherwise diagnosed a disorder of sexual development, in which the physician has determined through genetic or biochemical testing that the child does not have the normal sex chromosome structure, sex steroid hormone production or sex steroid hormone action for a male or female of the child's age.
- (d) (1) An individual who brings an action under this section may seek actual damages, exemplary or punitive damages, injunctive relief and other appropriate relief.
- (2) In an action brought under this section, the court shall award a prevailing plaintiff the cost of the suit including reasonable attorney fees.
- (e) This section shall be applicable to:
 - (1) Any action commenced on or after July 1, 2023, including any action that would be barred by the period of limitation applicable prior to July 1, 2023; and
 - (2) any action commenced prior to July 1, 2023, and pending on July 1, 2023.
- (f) This section shall be known and may be cited as the Kansas child mutilation prevention act.";

On page 2, following line 13, by inserting:

"Sec. 3. K.S.A. 2022 Supp. 65-2836 is hereby amended to read as follows: 65-2836. (a) A licensee's license may be revoked, suspended or limited, or the licensee may be publicly censured or placed under probationary conditions, or an application for a license or for reinstatement of a license may be denied upon a finding of the existence of any of the following grounds:

(~~a~~)(1) The licensee has committed fraud or misrepresentation in applying for or securing an original, renewal or reinstated license.

(~~b~~)(2) The licensee has committed an act of unprofessional or dishonorable conduct or professional incompetency, except that the board may take appropriate disciplinary action or enter into a non-disciplinary resolution when a licensee has engaged in any conduct or professional practice on a single occasion that, if continued, would reasonably be expected to constitute an inability to practice the healing arts with reasonable skill and safety to patients or unprofessional conduct as defined in K.S.A. 65-2837, and amendments thereto.

(~~e~~)(3) The licensee has been convicted of a felony or class A misdemeanor, or substantially similar offense in another jurisdiction, whether or not related to the practice of the healing arts, or the licensee has been convicted in a special or general

court-martial, whether or not related to the practice of the healing arts. The board shall revoke a licensee's license following conviction of a felony or substantially similar offense in another jurisdiction, or following conviction in a general court-martial occurring after July 1, 2000, unless a $\frac{2}{3}$ majority of the board members present and voting determine by clear and convincing evidence that such licensee will not pose a threat to the public in such person's capacity as a licensee and that such person has been sufficiently rehabilitated to warrant the public trust. In the case of a person who has been convicted of a felony or convicted in a general court-martial and who applies for an original license or to reinstate a canceled license, the application for a license shall be denied unless a $\frac{2}{3}$ majority of the board members present and voting on such application determine by clear and convincing evidence that such person will not pose a threat to the public in such person's capacity as a licensee and that such person has been sufficiently rehabilitated to warrant the public trust.

~~(d)~~(4) The licensee has used fraudulent or false advertisements.

~~(e)~~(5) The licensee is addicted to or has distributed intoxicating liquors or drugs for any other than lawful purposes.

~~(f)~~(6) The licensee has willfully or repeatedly violated this act, the pharmacy act of the state of Kansas or the uniform controlled substances act, or any rules and regulations adopted pursuant thereto, or any rules and regulations of the secretary of health and environment that are relevant to the practice of the healing arts.

~~(g)~~(7) The licensee has unlawfully invaded the field of practice of any branch of the healing arts in which the licensee is not licensed to practice.

~~(h)~~(8) The licensee has engaged in the practice of the healing arts under a false or assumed name, or the impersonation of another practitioner. The provisions of this subsection relating to an assumed name shall not apply to licensees practicing under a professional corporation, under a business entity that holds a certificate of authorization pursuant to K.S.A. 2022 Supp. 65-28,134, and amendments thereto, or under any other legal entity duly authorized to provide such professional services in the state of Kansas.

~~(i)~~(9) The licensee's ability to practice the healing arts with reasonable skill and safety to patients is impaired by reason of physical or mental illness, or condition or use of alcohol, drugs or controlled substances. All information, reports, findings and other records relating to impairment shall be confidential and not subject to discovery by or release to any person or entity outside of a board proceeding.

~~(j)~~(10) The licensee has had a license to practice the healing arts revoked, suspended or limited, has been censured or has had other disciplinary action taken, or an application for a license denied, by the proper licensing authority of another state, territory, District of Columbia, or other country.

~~(k)~~(11) The licensee has violated any lawful rule and regulation promulgated by the board or violated any lawful order or directive of the board previously entered by the board.

~~(l)~~(12) The licensee has failed to report or reveal the knowledge required to be reported or revealed under K.S.A. 65-28,122, and amendments thereto.

~~(m)~~(13) The licensee, if licensed to practice medicine and surgery, has failed to inform in writing a patient suffering from any form of abnormality of the breast tissue for which surgery is a recommended form of treatment, of alternative methods of treatment recognized by licensees of the same profession in the same or similar communities as being acceptable under like conditions and circumstances.

~~(n)~~(14) The licensee has cheated on or attempted to subvert the validity of the examination for a license.

~~(o)~~(15) The licensee has been found to be mentally ill, disabled, not guilty by reason of insanity, not guilty because the licensee suffers from a mental disease or defect or incompetent to stand trial by a court of competent jurisdiction.

~~(p)~~(16) The licensee has prescribed, sold, administered, distributed or given a controlled substance to any person for other than medically accepted or lawful purposes.

~~(q)~~(17) The licensee has violated a federal law or regulation relating to controlled substances.

~~(r)~~(18) The licensee has failed to furnish the board, or its investigators or representatives, any information legally requested by the board.

~~(s)~~(19) Sanctions or disciplinary actions have been taken against the licensee by a peer review committee, healthcare facility, a governmental agency or department or a professional association or society for acts or conduct similar to acts or conduct that would constitute grounds for disciplinary action under this section.

~~(t)~~(20) The licensee has failed to report to the board any adverse action taken against the licensee by another state or licensing jurisdiction, a peer review body, a healthcare facility, a professional association or society, a governmental agency, by a law enforcement agency or a court for acts or conduct similar to acts or conduct that would constitute grounds for disciplinary action under this section.

~~(u)~~(21) The licensee has surrendered a license or authorization to practice the healing arts in another state or jurisdiction, has surrendered the authority to utilize controlled substances issued by any state or federal agency, has agreed to a limitation to or restriction of privileges at any medical care facility or has surrendered the licensee's membership on any professional staff or in any professional association or society while under investigation for acts or conduct similar to acts or conduct that would constitute grounds for disciplinary action under this section.

~~(v)~~(22) The licensee has failed to report to the board surrender of the licensee's license or authorization to practice the healing arts in another state or jurisdiction or surrender of the licensee's membership on any professional staff or in any professional association or society while under investigation for acts or conduct similar to acts or conduct that would constitute grounds for disciplinary action under this section.

~~(w)~~(23) The licensee has an adverse judgment, award or settlement against the licensee resulting from a medical liability claim related to acts or conduct similar to acts or conduct that would constitute grounds for disciplinary action under this section.

~~(x)~~(24) The licensee has failed to report to the board any adverse judgment, settlement or award against the licensee resulting from a medical malpractice liability claim related to acts or conduct similar to acts or conduct that would constitute grounds for disciplinary action under this section.

~~(y)~~(25) The licensee has failed to maintain a policy of professional liability insurance as required by K.S.A. 40-3402 or 40-3403a, and amendments thereto.

~~(z)~~(26) The licensee has failed to pay the premium surcharges as required by K.S.A. 40-3404, and amendments thereto.

~~(aa)~~(27) The licensee has knowingly submitted any misleading, deceptive, untrue or fraudulent representation on a claim form, bill or statement.

~~(bb)~~(28) The licensee as the supervising physician for a physician assistant has

failed to adequately direct and supervise the physician assistant in accordance with the physician assistant licensure act or rules and regulations adopted under such act.

~~(ee)~~(29) The licensee has assisted suicide in violation of K.S.A. 21-3406, prior to its repeal, or K.S.A. 2022 Supp. 21-5407, and amendments thereto, as established by any of the following:

~~(1)~~(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. 2022 Supp. 21-5407, and amendments thereto.

~~(2)~~(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.

~~(3)~~(C) A copy of the record of a judgment assessing damages under K.S.A. 60-4405, and amendments thereto.

~~(dd)~~(30) The licensee has given a worthless check or stopped payment on a debit or credit card for fees or moneys legally due to the board.

~~(ee)~~(31) The licensee has knowingly or negligently abandoned medical records.

(b) A physician's license shall be revoked upon a finding that the physician has performed a childhood gender reassignment service, as defined in section 1, and amendments thereto.";

Also on page 2, in line 14, by striking "is" and inserting "and K.S.A. 2022 Supp. 65-2836 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "and healthcare" and inserting "professions and practices"; in line 2, after the semicolon by inserting "relating to physicians; creating a civil cause of action against a physician who performs childhood gender reassignment service; requiring revocation of a physician's license if such physician performs childhood gender reassignment service;"; in line 3, after "and" by inserting "K.S.A. 2022 Supp. 65-2836 and"; also in line 3, by striking "section" and inserting "sections"; and the bill be passed as amended.

HB 2325, As Amended by House Committee, be amended on page 3, in line 13, by striking "or"; in line 18, after "thereto" by inserting "; or

(I) any facility where elective abortions, as defined in K.S.A. 65-4a01, and amendments thereto, are performed";

On page 5, following line 30, by inserting:

"Sec. 2. K.S.A. 40-3403a is hereby amended to read as follows: 40-3403a. Any ~~health care~~ healthcare provider whose fund coverage has been terminated under ~~subsection (i) of K.S.A. 40-3403(i)~~, and amendments thereto, and any facility described under K.S.A. 40-4301(f)(2)(I), and amendments thereto, shall, as a condition of licensure, maintain continuous professional liability insurance coverage equivalent to that provided by the fund and shall submit to the board of governors satisfactory proof of such coverage, as required by the board.";

Also on page 5, in line 31, by striking "is" and inserting "and 40-3403a are";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "designating certain healthcare providers as being ineligible to purchase professional liability insurance from the healthcare stabilization fund; requiring such healthcare providers to maintain continuous professional liability coverage equivalent to that provided by the healthcare stabilization fund as a condition of licensure;"; also in line 3, after "40-3401" by

inserting "and 40-3403a"; in line 4, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Utilities** recommends **HB 2225**, As Amended by House Committee, be passed.

Committee on **Ways and Means** recommends **SB 295**, **SB 307**, **SB 308** be passed.

Also, **SB 309** be amended on page 1, in line 23, by striking "and" and inserting a comma; also in line 23, after "counties" by inserting "and Washburn university of Topeka"; in line 28, by striking "or" and inserting a comma; in line 29, after "county's" by inserting "or Washburn university of Topeka's"; in line 31, after "seq." by inserting "or 13-13a38 and 13-13a39"; in line 33, by striking "or" and inserting a comma; in line 34, after "county" by inserting "or Washburn university of Topeka"; in line 36, by striking "or" and inserting a comma; also in line 36, after "county" by inserting "or Washburn university of Topeka";

On page 2, in line 4, by striking "or" and inserting a comma; also in line 4, after "county" by inserting "or Washburn university of Topeka"; in line 10, by striking "or" and inserting a comma; also in line 10, after "county" by inserting "or Washburn university of Topeka"; in line 18, by striking "or" and inserting a comma; in line 19, after "county" by inserting "or Washburn university of Topeka";

On page 1, in the title, in line 2, after "revenues" by inserting "to cities, counties or a municipal university with the authority to impose a countywide retailers' sales tax"; and the bill be passed as amended.

On motion of Senator Alley, the Senate adjourned pro forma until 2:30 p.m., Friday, March 24, 2023.

Journal of the Senate

FIFTY-FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, March 24, 2023, 2:30 p.m.

The Senate was called to order pro forma by Vice President Rick Wilborn.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

SB 323, AN ACT concerning county appraisers; providing for the election of county appraisers; amending K.S.A. 2-1915, 19-425, 19-433, 19-434, 19-435, 19-4110, 25-101, 25-213, 25-611, 74-2438, 75-5105a, 79-201q, 79-201s, 79-412, 79-5a04, 79-1404, 79-1404a, 79-1411b, 79-1412a, 79-1413a, 79-1420, 79-1455, 79-1460a, 79-1466, 79-1467, 79-1479, 79-1481 and 79-1606 and K.S.A. 2022 Supp. 19-432, 74-2433f, 79-1448, 79-1460, 79-1476, 79-1609 and 79-2005 and repealing the existing sections; also repealing K.S.A. 19-426, 19-428 and 79-1427c and K.S.A. 2022 Supp. 19-430 and 19-431, by Committee on Assessment and Taxation.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to Committee as indicated:

Federal and State Affairs: **SB 322**.

MESSAGES FROM THE GOVERNOR

Enclosed herewith is Executive Directive No. 23-567 for your information. (March 20, 2023)

MESSAGE FROM THE HOUSE

Announcing passage of **SB 113**, as amended by **H Sub SB 113**.

Announcing passage of **HB 2436**.

The House accedes to the request of the Senate for a conference on **H Sub SB 229** and has appointed Representatives Wasinger, B. Carpenter and Stogsdill as conferees on the part of the House.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2436 was thereupon introduced and read by title.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 311** be passed.

Also, **HB 2201** be amended by substituting with a new bill to be designated as

"Senate Substitute for HOUSE BILL NO. 2201," as follows:

"Senate Substitute for HOUSE BILL NO. 2201

By Committee on Assessment and Taxation

"AN ACT concerning taxation; relating to homestead property tax refund claims; excluding social security payments from household income for eligibility of seniors and disabled veterans related to increased property tax claims; increasing the appraised value and household income thresholds for eligibility; amending K.S.A. 2022 Supp. 79-4508a and repealing the existing section.";

And the substitute bill be passed.

SB 128 be amended on page 1, in line 9, after "to" by inserting "95% of"; in line 14, by striking the second "or"; also in line 14, after "elementary" by inserting "or secondary"; in line 20, after "year" by inserting "; and

(3) was enrolled in a public school operated by a school district during the tax year immediately preceding the tax year for which the taxpayer claims the ad astra opportunity tax credit for the first time. This paragraph shall not apply to a dependent child who was enrolled in kindergarten for the first time during the tax year for which the taxpayer claims the credit for the first time";

Also on page 1, in line 23, by striking "excess amount shall be refunded to the"; also in line 23, after "taxpayer" by inserting "may carry over the amount of the tax credit that exceeds such tax liability for deduction from the taxpayer's income tax liability in the next succeeding tax year or years until the total amount of tax credit has been deducted from tax liability"; in line 28, after "(d)" by inserting "A taxpayer shall not be eligible to claim the ad astra opportunity tax credit for a dependent child, or the amount of the credit attributable to a dependent child, for a tax year in which such dependent child participated in a state program enacted by the legislature by law effective on or after April 1, 2023, that provides a scholarship account or savings account for such dependent child and money was deposited in or transferred to such account at any time during such tax year by the state treasurer for use for certain qualified education expenses.

(e)";

On page 2, following line 1, by inserting:

"(3) Taxpayers may be required to provide documentation of educational expenses, including, but not limited to, amounts paid for computers, tablets, printers, copy machines, wi-fi, video equipment, books, textbooks, study guides, calculators, science materials and equipment, musical instruments and music books, athletic supplies and gear, concurrent enrollment tuition, accredited nonpublic school tuition, tutors, subscriptions, transportation and admission fees for field trips, school supplies, CDs, DVDs and other learning materials, equipment and supplies.";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and the bill be passed as amended.

SB 313 be amended on page 1, in line 12, by striking "resident and"; in line 15, by striking "attributable" and inserting "allocated and apportioned"; also in line 15, by striking "the" and inserting "this"; in line 17, by striking "not"; in line 18, by striking all before the period and inserting "calculated either before allocation and apportionment or after allocation and apportionment to this state. The electing pass-through entity must use the same method of calculation for all resident electing pass-through entity owners"; and the bill be passed as amended.

HB 2106, As Amended by House Committee of the Whole, be amended on page 1, following line 6, by inserting:

"New Section 1. (a) When a used motor vehicle is sold on or after January 1, 2024, by an individual instead of being traded in as partial payment on the sale of a new or used motor vehicle, and the individual purchases a new or used vehicle of greater value within 90 days before or after such sale, the tax imposed by the Kansas retailers' sales tax act pursuant to K.S.A. 79-3601 et seq., and amendments thereto, or the Kansas compensating tax pursuant to K.S.A. 79-3701 et seq., and amendments thereto, shall be paid on the amount of total consideration paid for the new or used vehicle purchased by such individual that exceeds the amount received by such individual from such sale of the used motor vehicle. In the event that the consideration paid for the purchased vehicle is equal to or less than the amount received from the sale of the used motor vehicle, then the individual shall not owe any sales or compensating use tax.

(b) For purposes of subsection (a), the individual may either:

(1) Provide to the county treasurer the completed bills of sale for the vehicle sold and the vehicle purchased at the time that the purchased vehicle is registered. The county treasurer shall collect the tax on the amount prescribed under subsection (a); or

(2) apply to the department of revenue if taxes have already been paid on the purchased vehicle for a refund of the amount of tax paid by the individual that exceeds the tax amount owed pursuant to subsection (a) by providing both the completed bills of sale for the vehicle sold and the vehicle purchased.

(c) (1) The deduction provided by this section shall not be allowed unless the taxpayer claiming the deduction provides a copy of the bills of sale required pursuant to subsection (b), and such bills of sale are on department of revenue form TR-312 that, at a minimum, includes information necessary to tie the specific purchase transaction to the related sale transaction including, but not limited to, the:

- (A) Seller's printed name and address;
- (B) buyer's printed name and address;
- (C) year, make and vehicle identification number of the vehicle;
- (D) sale price and date of sale of the vehicle; and
- (E) signatures of the seller and the buyer and the date signed.

(2) The sale price, date of sale and the name of at least one buyer and seller listed on the bill of sale must match the information entered in the assignment of title on the back of the certificate of title.

(3) If the taxpayer claiming such deduction fails to provide such signed bills of sale, the tax shall be due on the total consideration paid for the new or used vehicle.

(d) The department of revenue shall issue a refund pursuant to subsection (b)(2) from the sales tax refund fund for any valid claims filed within three years from the date of the purchase of the replacement vehicle.

(e) The director of vehicles shall prescribe forms for compliance with this section.

(f) As used in this section, "consideration paid" means the amount paid after any rebate or discount.

Sec. 2. K.S.A. 12-199 is hereby amended to read as follows: 12-199. (a) Except as otherwise provided by section 1, and amendments thereto, a compensating use tax for the privilege of using or storing within a city or county any vehicle ~~which that~~ is required to be registered under the provisions of article 1 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto, ~~and which that~~ is purchased within this

state but without the local retailers' sales taxing jurisdiction of such city or county, is hereby imposed by every city or county imposing a retailers' sales tax. The rate of any such tax shall be equal to the difference between the aggregate rate of all local retailers' sales tax rates imposed by all local retailers sales taxing jurisdictions of the situs of such vehicle less the aggregate rate of all local retailers' sales tax rates imposed by all local retailers' sales taxing jurisdictions of the situs of the purchase of such vehicle. Except as otherwise provided in this section, any city or county imposing a compensating use tax is prohibited from administering such tax locally, but shall utilize the services of the state department of revenue to administer and enforce such tax. All laws and rules and regulations of the state department of revenue relating to the Kansas compensating tax shall apply to such local compensating use tax insofar as the same may be made applicable. Such tax shall be collected by the county treasurer at the time the vehicle is registered in this state following a sale occurring within this state. Registration of such vehicle within a taxing jurisdiction shall be deemed to constitute use or storage thereof for compensating tax purposes and the residence or place of business of the applicant shall be deemed to be the situs of such use or storage for purposes of the collection and distribution thereof.

(b) The secretary of revenue is authorized to administer and enforce a city's or county's compensating use tax and to adopt such rules and regulations necessary for the efficient and effective administration, enforcement and collection thereof.

(c) All revenue received by any county treasurer from a countywide compensating use tax shall be apportioned among the county and each city located in such county in the same manner as provided in K.S.A. 12-192, and amendments thereto, for the apportionment of revenue received from a countywide retailers' sales tax, and all revenue received from a city compensating use tax shall be remitted at least quarterly to the treasurer of such city.";

On page 39, in line 15, before "K.S.A." by inserting "K.S.A. 12-199 and"; also in line 15, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "providing for a deduction for calculating tax owed when selling a motor vehicle that is purchased within 90 days of the sale of another vehicle;"; also in line 3, after "amending" by inserting "K.S.A. 12-199 and"; in line 4, by striking "section" and inserting "sections"; and the bill be passed as amended.

SCR 1610 be adopted.

Committee on **Federal and State Affairs** recommends **HB 2053** be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2053," as follows:

"Senate Substitute for HOUSE BILL NO. 2053

By Committee on Federal and State Affairs

"AN ACT concerning elections; providing for a presidential preference primary election; establishing voter registration and voting procedures for such election; amending K.S.A. 25-1122, 25-2311, 25-4501a, 25-4502, 25-4503, 25-4505, 25-4506 and 25-4507 and K.S.A. 2022 Supp. 25-3009 and repealing the existing sections.";

And the substitute bill be passed.

Also, **HB 2170** be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2170," as follows:

"Senate Substitute for HOUSE BILL NO. 2170

By Committee on Federal and State Affairs

"AN ACT concerning philanthropic gifts; relating to judicial enforcement of donor-imposed restrictions on gifts of endowment funds or to endowment funds; enacting the donor intent protection act.";

And the substitute bill be passed.

The Committee on **Public Health and Welfare** recommends **SB 315** be amended on page 1, in line 13, by striking "any" and inserting "a COVID-19";

On page 2, in line 1, before "vaccine" by inserting "COVID-19";

On page 3, in line 13, before "Employee" by inserting "'COVID-19 vaccine" means an immunization, vaccination or injection against disease caused by the novel coronavirus identified as SARS-CoV-2 or disease caused by a variant of the virus;

(2) "COVID-19 vaccine requirement" means that an employer:

(A) Requires an employee to receive a COVID-19 vaccine;

(B) requires an employee to provide documentation certifying receipt of a COVID-19 vaccine; or

(C) enforces a requirement described in subparagraph (A) or (B) that is imposed by the federal government or any other entity;

(3)";

Also on page 3, in line 34, after the semicolon by inserting "and"; in line 37, by striking all after "views"; by striking all in lines 38 and 39; in line 40, by striking "disease"; and the bill be passed as amended.

Also, **HB 2141**, As Amended by House Committee, be amended on page 1, in the title, in line 3, after the semicolon by inserting "identifying when the secretary for children and families shall review cooperation with child support;"; in line 4, after the semicolon by inserting "adding disqualification exemptions;"; and the bill be passed as amended.

HB 2260 be amended on page 1, following line 7, by inserting:

"Section 1. K.S.A. 74-3265 is hereby amended to read as follows: 74-3265. (a) Within the limits of appropriations for osteopathic medical service scholarships, and in accordance with the provisions of this section, the state board of regents may award such scholarships to Kansas residents who are undergraduate students enrolled in or admitted to accredited or pre-accredited schools of osteopathic medicine in a course of instruction leading to the degree of doctor of osteopathy and who enter into a written agreement with the state board of regents as provided in K.S.A. 74-3266, and amendments thereto.

(b) Osteopathic medical service scholarships shall be in effect for the period of time specified in subsection (c) and shall provide to the person receiving the scholarship the payment of an amount not to exceed the maximum amount of a loan authorized to be made under the medical student loan act.

(c) Osteopathic medical service scholarships shall be awarded on an annual basis and shall be in effect for one year unless otherwise terminated before the expiration of such period of time. A Kansas resident who is an undergraduate student enrolled in or admitted to an accredited or pre-accredited school of osteopathic medicine in a course of instruction leading to the degree of doctor of osteopathy may be awarded a scholarship for each year the student enters into a written agreement with the state board of regents as provided in K.S.A. 74-3266, and amendments thereto, up to a

maximum of four years. For each year a student is awarded a scholarship, the student shall engage in the practice of medicine and surgery in Kansas for the period of time specified in ~~subsection (a)(3)~~ of K.S.A. 74-3266(a)(3), and amendments thereto, unless such obligation is otherwise satisfied as provided in K.S.A. 74-3268, and amendments thereto.

(d) The state board of regents shall not award more than ~~15~~ 25 osteopathic medical service scholarships in any year to persons who have not previously been awarded such a scholarship and, in any case, the state board shall not award more than ~~60~~ 80 such scholarships in any year. In selecting Kansas residents to be awarded osteopathic medical service scholarships, the state board shall give primary consideration to students commencing their first year of instruction at accredited or pre-accredited schools of osteopathic medicine and thereafter shall consider students in later years of instruction.

Sec. 2. K.S.A. 74-3268 is hereby amended to read as follows: 74-3268. (a) An obligation to engage in the practice of medicine and surgery in accordance with an agreement under K.S.A. 74-3266, and amendments thereto, shall be postponed during any period of time: (1) ~~During any~~ Of required ~~period of~~ active military service; (2) ~~during any period~~ of service as a part of volunteers in service to America (VISTA); (3) ~~during any period~~ of service in the peace corps; (4) ~~during any period~~ of service commitment to the United States public health service; (5) ~~during any period~~ of religious missionary work conducted by an organization exempt from tax under section 501(c)(3) of the federal internal revenue code as in effect on December 31, 2000; (6) ~~during any period of time~~ the person obligated is engaged solely in the teaching of medicine; (7) ~~during any period of time~~ the person obligated is engaged solely in medical research; (8) ~~during any period of time~~ the person obligated is unable because of temporary medical disability to practice medicine and surgery; (9) ~~during any period of time~~ the person obligated is on job-protected leave under the federal family and medical leave act of 1993; or (10) ~~during any period of time~~ the state board of regents determines that the person obligated is unable because of special circumstances to practice medicine and surgery; or (11) not longer than one year during which the person participates in a healthcare-related fellowship program.

(b) ~~Except for clauses subsection (a)(8), (9) and (10),~~ an obligation to engage in the practice of medicine and surgery in accordance with an agreement under K.S.A. 74-3266, and amendments thereto, shall not be postponed more than five years from the time the practice of medicine and surgery was to have been commenced under any such agreement. An obligation to engage in the practice of medicine and surgery in accordance with an agreement under K.S.A. 74-3266, and amendments thereto, shall be postponed under ~~clause subsection (a)(8)~~ during the period of time the medical disability exists. An obligation to engage in the practice of medicine and surgery in accordance with an agreement under K.S.A. 74-3266, and amendments thereto, shall be postponed under ~~clause subsection (a)(9)~~ during the period of time the person obligated remains on FMLA leave. An obligation to engage in the practice of medicine and surgery in accordance with an agreement under K.S.A. 74-3266, and amendments thereto, shall be postponed under ~~clause subsection (a)(10)~~ during the period of time the state board of regents determines that the special circumstances exist. The state board of regents shall adopt rules and regulations prescribing criteria or guidelines for determination of the existence of special circumstances causing an inability to practice

medicine and surgery, and shall determine the documentation required to prove the existence of such circumstances.

(b)(c) An obligation to engage in the practice of medicine and surgery in accordance with an agreement under K.S.A. 74-3266, and amendments thereto, shall be satisfied: (1) If the obligation to engage in the practice of medicine and surgery has been completed in accordance with the agreement; (2) if the person obligated dies; (3) if, because of permanent physical disability, the person obligated is unable to practice medicine and surgery; (4) if the person obligated fails to satisfy the requirements for a degree of doctor of osteopathy after making the best effort possible to obtain such degree; or (5) if the person obligated fails to satisfy all requirements for a permanent license to practice medicine and surgery in Kansas or any other jurisdiction or has been denied a license after the person has applied for a license and has made the best effort possible to obtain a license.

Sec. 3. K.S.A. 76-381 is hereby amended to read as follows: 76-381. As used in K.S.A. 76-380 through 76-386, and amendments thereto:

(a) "Act" means the medical student loan act;

(b) "approved postgraduate residency training program" means a residency training program in general pediatrics, general internal medicine, family medicine, family practice, emergency medicine, obstetrics and gynecology, general psychiatry, child psychiatry or fellowship training in geriatric medicine;

(c) "service commitment area" means: (1) Any community within any county in Kansas other than Douglas, Johnson, Sedgwick, Shawnee or Wyandotte county; (2) any state medical care facility or institution; (3) any medical center operated by the veterans administration of the United States; (4) ~~the full-time faculty of the university of Kansas school of medicine in family medicine, family practice, general psychiatry or child psychiatry if serving as full-time faculty as provided in K.S.A. 76-384(c), and amendments thereto;~~ or (5) any community within Wyandotte county for purposes of any practice obligation under an agreement entered into by a person who is enrolled for the first time after July 1, 2004, in a course of study leading to the medical degree; and

(d) "state medical care facility or institution" includes, but is not limited to, the Kansas state school for the ~~visually handicapped blind~~, the Kansas state school for the deaf, any institution under the secretary for aging and disability services, as defined by in K.S.A. 76-12a01, and amendments thereto, any institution ~~under the commissioner of juvenile justice~~ as defined by in K.S.A. 38-2302, and amendments thereto, the Kansas soldiers' home, the Kansas veterans' home and any correctional institution under the secretary of corrections, as defined by in K.S.A. 75-5202, and amendments thereto, but shall not include any state educational institution under the state board of regents, as defined by in K.S.A. 76-711, and amendments thereto, except as specifically provided by statute.";

On page 2, following line 32, by inserting:

"Sec. 5. K.S.A. 76-383 is hereby amended to read as follows: 76-383. A medical student loan agreement entered into by the university of Kansas school of medicine and an undergraduate student enrolled in or admitted to the university of Kansas school of medicine in a course of instruction leading to the degree of doctor of medicine for the purpose of receiving a medical student loan under this act shall require that the person receiving the loan:

(a) Complete the required course of instruction and receive the degree of doctor of

medicine and apply for, enter and complete an approved postgraduate residency training program;

(b) apply for and obtain a license to practice medicine and surgery in Kansas;

(c) except as otherwise provided in K.S.A. 76-384, and amendments thereto, engage in the full-time practice of medicine and surgery for a period of 12 months within a service commitment area, ~~except as otherwise provided in K.S.A. 76-384(e), and amendments thereto, for service as a full-time faculty member of the university of Kansas school of medicine in family medicine, family practice, general psychiatry or child psychiatry;~~

(d) commence such full-time practice of medicine and surgery within nine months after completion of an approved postgraduate residency training program and licensure in a service commitment area and continue such full-time practice in such service commitment area for a consecutive period of months equal to the total number of months required under the agreement;

(e) agree that the service commitment for each agreement entered into under this act is in addition to the service commitment contained in any other agreement ~~which~~ that has been or may be entered into under this act for the purpose of obtaining a medical student loan or under other agreements for the purpose of obtaining scholarship aid;

(f) maintain records and make reports to the university of Kansas school of medicine to document the satisfaction of the obligation under such agreement to engage in the full-time practice of medicine and surgery within a service commitment area and to continue such full-time practice in such service commitment area for a consecutive period of months equal to the total number of months required under the agreement; and

(g) upon failure to satisfy an agreement to engage in the full-time practice of medicine and surgery within a service commitment area for the required period of time under any such agreement, the person receiving a medical student loan under this act shall repay amounts to the university of Kansas school of medicine as provided in K.S.A. 76-385, and amendments thereto.

Sec. 6. K.S.A. 76-385 is hereby amended to read as follows: 76-385. (a) (1) Except as otherwise provided in paragraphs (2), (3), (4) and (5) ~~through (6)~~ or in K.S.A. 76-386, and amendments thereto, upon the failure of any person to satisfy the obligation to engage in the full-time practice of medicine and surgery within a service commitment area of this state for the required period of time under any medical student loan agreement entered into under this act, such person shall repay to the university of Kansas school of medicine in accordance with subsection (b) an amount equal to the total of: (A) The amount of money received by such person pursuant to such agreement, or the amount of money determined under rules and regulations of the university of Kansas; plus (B) annual interest at a rate of 15% from the date such money was received.

(2) Any person who fails to apply for and enter an approved postgraduate residency training program shall be required to repay all moneys received pursuant to an agreement entered into for any such medical student loan, plus accumulated interest at an annual rate of 15% and shall commence such repayment in accordance with subsection (b) within 90 days of graduation from the school of medicine or upon termination or completion of a residency training program ~~which that~~ does not comply with the provisions of this act, whichever is later.

(3) If at any time a person is failing to satisfy an obligation to engage in the full-time practice of medicine and surgery in Kansas for the required period of time under an agreement entered into under this act because such person is engaged in the full-time practice of medicine and surgery in a state other than Kansas, or within Kansas in an area that is not a service commitment area or in the practice of medicine and surgery which does not otherwise comply with the agreement entered into under this act, and if such person is subject to or currently making repayments under this section and if such person subsequently commences the practice of medicine and surgery in this state which is in a service commitment area or which otherwise complies with the agreement entered into under this act, the balance of the repayment amount, including interest thereon, from the time of such commencement of practice until the obligation of such person is satisfied, or until the time such person again becomes subject to repayments, shall be waived. All repayment amounts due prior to such commencement of practice, including interest thereon, shall continue to be payable as provided in this section. If subsequent to such commencement of practice, the person fails to satisfy such obligation, the person again shall be subject to repayments, including interest thereon, as otherwise provided in this section.

(4) If, during the time a person is satisfying the service requirement of an agreement entered into under this act, such person desires to engage in less than the full-time practice of medicine and surgery within a service commitment area of the state and remain in satisfaction of such service requirement, such person may make application to the chancellor of the university of Kansas or the designee of the chancellor for permission to engage in less than such full-time practice of medicine and surgery. Upon a finding of exceptional circumstances made by the chancellor of the university of Kansas, or the designee of the chancellor, such person may be authorized to engage in less than the full-time practice of medicine and surgery within a service commitment area of the state for the remaining required period of time under such agreement and for an additional period of time which shall be equal to the length of the originally required period of time multiplied by the decimal fraction which is equal to the reduction of the full-time practice of medicine and surgery to be authorized hereunder, multiplied by two. In any such determination of the period required to be engaged in the less than full-time practice of medicine and surgery, the decimal fraction utilized shall not exceed 0.5 and any person granted permission to engage in less than the full-time practice of medicine and surgery in accordance with the provisions of this paragraph shall be required to engage in at least the half-time practice of medicine and surgery.

(5) Any person who enters but fails to complete an approved postgraduate residency training program, or who enters and completes an approved postgraduate residency training program but fails to satisfy the obligation to engage in the full-time practice of medicine and surgery within a service commitment area of this state for the required period of time shall be required to repay all money received pursuant to an agreement entered into under this act—~~a~~ for any such medical student loan, plus accumulated interest at an annual rate of 15%, and shall commence such repayment in accordance with subsection (b) within 90 days of failure to complete an approved postgraduate residency training program or 90 days of failure to commence qualifying practice, whichever occurs first. Any person who fails to satisfy the obligation to engage in the full-time practice of medicine and surgery in accordance with this section due to

active military service of such person or such person's spouse shall not be required to pay the 15% annual interest rate on any moneys received under such agreement.

(6) For any person who entered and completed an approved postgraduate residency training program in obstetrics and gynecology, if during the time such person is satisfying the service requirement of an agreement entered into pursuant to this act, such person is employed by, provides services at or establishes any clinic or facility as such terms are defined in K.S.A. 65-4a01, and amendments thereto, or performs or induces, or attempts to perform or induce, an abortion, except in the case of a medical emergency as defined in K.S.A. 65-6701, and amendments thereto, or in the case of a pregnancy resulting from rape or incest, such person shall be deemed to have failed to complete such person's service requirement and shall be required to repay all money received pursuant to an agreement entered into under this act for any such medical student loan, plus accumulated interest at an annual rate of 15%, and shall commence such repayment in accordance with subsection (b).

(b) For any repayment requirement under this section, the person shall repay an amount totaling the entire amount to be repaid under all such agreements for which such obligations are not satisfied, including all amounts of interest at the rate prescribed. The repayment shall be made in not more than 10 equal annual installment payments.

(c) All installment payments under this section shall commence six months after the date of the action or circumstance that causes the failure of the person to satisfy the obligations of such agreements, as determined by the university of Kansas school of medicine based upon the circumstances of each individual case. In all cases, if an installment payment becomes 91 days overdue, the entire amount outstanding shall become immediately due and payable, including all amounts of interest at the rate prescribed.

(d) The total repayment obligation imposed under all agreements entered into under this act may be satisfied by the person who entered into the agreements at any time prior to graduation from the university of Kansas school of medicine by making a single lump-sum payment equal to the total of: (1) The entire amount to be repaid under all such agreements upon failure to satisfy the obligations under such agreements to practice in Kansas; plus (2) all amounts of interest thereon at the rate prescribed to the date of payment.

(e) The university of Kansas school of medicine shall remit all moneys received 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 medical loan repayment fund.

(f) There is hereby created in the state treasury the medical loan repayment fund. All expenditures from the medical loan repayment fund shall be for medical student loans under the medical student loan act and for the expenses of administration of the medical student loan act and shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chancellor of the university of Kansas or by a person designated by the chancellor, except that expenditures shall not be made from the medical loan repayment fund for medical student loans for medical students who intend to enter and complete an approved postgraduate residency training program in obstetrics and gynecology, general

psychiatry or child psychiatry. On the effective date of this act, the director of accounts and reports shall transfer all moneys in the medical scholarship and loan repayment fund to the medical loan repayment fund. On the effective date of this act, all liabilities of the medical scholarship and loan repayment fund are hereby imposed on the medical loan repayment fund and the medical scholarship and loan repayment fund is hereby abolished. Whenever the medical scholarship and loan repayment fund, or words of like effect, is referred to or designated by any statute, contract or other document, such reference or designation shall be deemed to apply to the medical loan repayment fund.

(g) There is hereby established in the state treasury the psychiatry medical loan repayment fund. All moneys credited to the psychiatry medical loan repayment fund shall be expended only for medical student loans for general psychiatry or child psychiatry students under the medical student loan act and for the expenses of administration of the medical student loan act associated with such students. All expenditures from the psychiatry medical loan repayment 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 chancellor of the university of Kansas or the chancellor's designee.

(h) There is hereby established in the state treasury the OBGYN medical loan repayment fund. All moneys credited to the OBGYN medical loan repayment fund shall be expended only for medical student loans for medical students who intend to enter and complete an approved postgraduate residency training program in obstetrics and gynecology under the medical student loan act and for the expenses of administration of the medical student loan act associated with such students. All expenditures from the OBGYN medical loan repayment 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 chancellor of the university of Kansas or the chancellor's designee.

~~(h)(i)~~ Notwithstanding any other provision of law to the contrary, no moneys shall be transferred from the comprehensive grant program account of the state board of regents to the medical loan repayment fund, the OBGYN medical loan repayment fund or the psychiatry medical loan repayment fund or expended for any purposes related thereto.

Sec. 7. K.S.A. 76-386 is hereby amended to read as follows: 76-386. (a) An obligation to engage in the practice of medicine and surgery in accordance with an agreement under this act shall be postponed during any period of time for: (1) ~~During any~~ Required period of active military service of the person obligated or such person's spouse; (2) ~~during any period of~~ service as a part of volunteers in service to America (VISTA); (3) ~~during any period of~~ service in the peace corps; (4) ~~during any period of~~ service commitment to the United States public health service; (5) ~~during any period of~~ religious missionary work conducted by an organization exempt from tax under subsection (c) of section 501 of the federal internal revenue code of 1986; ~~or~~ (6) ~~during any period of~~ temporary medical disability during which the person obligated is unable because of such medical disability to practice medicine and surgery; ~~or~~ (7) not more than one year during which the person participates in a healthcare-related fellowship program.

(b) Except for ~~clause (6) of this subsection~~ (a)(6), an obligation to engage in the practice of medicine and surgery in accordance with an agreement under this act shall not be postponed more than five years from the time the practice of medicine and surgery was to have been commenced under any such agreement. An obligation to

engage in the practice of medicine and surgery in accordance with an agreement under this act shall be postponed under ~~clause (6) of this subsection (a)~~(6) during the period of time the medical disability exists.

~~(b)~~(c) An obligation to engage in the practice of medicine and surgery in accordance with an agreement under this act shall be satisfied: (1) If the obligation to engage in the practice of medicine and surgery in accordance with an agreement under this act has been completed; (2) if the person obligated dies; or (3) if, because of permanent physical disability, the person obligated is unable to practice medicine and surgery.

Sec. 8. K.S.A. 76-387 is hereby amended to read as follows: 76-387. (a)(1) There is hereby established the Kansas medical residency bridging program at the university of Kansas school of medicine, which shall be developed and implemented in order to provide encouragement, opportunities and incentives for persons ~~in primary care or mental health care~~ to:

(A) Enter and complete medical residency training programs in general pediatrics, general internal medicine, family medicine, family practice, obstetrics and gynecology, general psychiatry or child psychiatry that are operated by or affiliated with the university of Kansas school of medicine or other such ~~primary care or mental health care~~ medical residency training program that is operated in Kansas and approved by the state board of healing arts; and ~~a person under subsection (i) to~~

(B) locate their medical practice in rural Kansas communities upon completion of such residency training.

(2) The Kansas medical residency bridging program shall be administered by the institute for rural health care of the university of Kansas school of medicine.

(b) Subject to the provisions of appropriation acts, the university of Kansas school of medicine may enter into residency bridging loan agreements, ~~in accordance with the provisions of this section:~~ (A) with any person who has completed the first year of a ~~primary care or mental health care~~ medical residency training program in general pediatrics, general internal medicine, family medicine, family practice, obstetrics and gynecology, general psychiatry or child psychiatry that is operated by or affiliated with the university of Kansas school of medicine or other such ~~primary care or mental health care~~ medical residency training program that is operated in Kansas and approved by the state board of healing arts; and (B) ~~with a person under subsection (i).~~

(c) Subject to the provisions of appropriation acts, each person entering into a residency bridging loan agreement under this section shall receive a payment of \$5,000 each year of ~~primary care or mental health care~~ medical residency training, or any part of a year of such training, after the date that the residency bridging loan agreement is entered into by the resident and the university of Kansas school of medicine and, upon completion of the ~~primary care or mental health care~~ medical residency training program, a payment of \$6,000.

(d) Each residency bridging loan agreement shall require that the person receiving the loan:

(1) Complete the ~~primary care or mental health care~~ medical residency training program;

(2) engage in the full-time practice of medicine and surgery in any county in Kansas other than Douglas, Johnson, Sedgwick, Shawnee or Wyandotte for three years under a practice commitment agreement;

(3) commence such full-time practice of medicine and surgery within 90 days after completing the ~~primary care or mental health care~~ medical residency training program; and

(4) upon failure to satisfy the obligation to engage in the full-time practice of medicine and surgery in accordance with the provisions of the residency bridging loan agreement and this section, the person receiving the loan under this section shall repay to the university of Kansas school of medicine, within 90 days of such failure, the amount equal to the amount of ~~money~~ moneys received by such person from the university of Kansas school of medicine, less credits earned, under such agreement plus interest at the annual rate of 15% from the date such ~~money was~~ moneys were received. Any person who fails to satisfy the obligation to engage in the full-time practice of medicine and surgery in accordance with this section due to active military service of such person or such person's spouse shall not be required to pay the 15% annual interest rate on any moneys received under such agreement.

(e) An obligation to engage in the practice of medicine and surgery in accordance with the provisions of a residency bridging loan agreement and this section shall be postponed during: (1) Any period of temporary medical disability during which the person obligated is unable to practice medicine and surgery because of such medical disability; (2) any period of not more than one year during which the person participates in a healthcare-related fellowship program; (3) any required period of active military service of the person obligated or such person's spouse; or ~~(2)~~ (4) any other period of postponement agreed to or determined in accordance with criteria agreed to in the practice commitment agreement.

(f) Except as otherwise provided in subsection (g), an obligation to engage in the practice of medicine and surgery in accordance with the provisions of a residency bridging loan agreement and this section shall be satisfied: (1) If the obligation to engage in the practice of medicine and surgery in accordance with such agreement has been completed; (2) if the person obligated dies; or (3) if, because of permanent physical disability, the person obligated is unable to practice medicine and surgery.

(g) For any person who completed a medical residency training program in obstetrics and gynecology pursuant to this section, such person's obligation to engage in the practice of medicine and surgery in accordance with the provisions of a residency bridging loan agreement and this section shall be deemed to not be satisfied if such person is employed by, provides services at or establishes any clinic or facility as such terms are defined in K.S.A. 65-4a01, and amendments thereto, or performs or induces, or attempts to perform or induce, an abortion, except in the case of a medical emergency as defined in K.S.A. 65-6701, and amendments thereto, or in the case of a pregnancy resulting from rape or incest, at any time in which such person is obligated to satisfy the provisions of such person's loan agreement made pursuant to this section.

(h) The university of Kansas school of medicine may adopt additional provisions, requirements or conditions for participation in the Kansas medical residency bridging program as are practicable and appropriate to accomplish the purposes of the program or as may be required for the implementation or administration of the program and, in any case, as are not inconsistent with the provisions of this section or the provisions of appropriation acts.

~~(h)~~(i) As used in this section, "practice commitment agreement" means an agreement to commence the full-time practice of medicine and surgery in a city located

in any county in Kansas other than Douglas, Johnson, Sedgwick, Shawnee or Wyandotte county, that:

(1) Was entered into: ~~(A) by a person in a primary care or mental health care~~ medical residency training program in general pediatrics, general internal medicine, family medicine, family practice, ~~obstetrics and gynecology~~, general psychiatry or child psychiatry, that is operated by or affiliated with the university of Kansas school of medicine or other such ~~primary care or mental health care~~ medical residency training program that is operated in Kansas and approved by the state board of healing arts; ~~or~~ (B) by a person under subsection (i), with the city where such practice is to commence or another contracting entity other than the university of Kansas school of medicine that is representative of the interests of such city; and

(2) provides benefits to such person that have an aggregate monetary value equal to or greater than the aggregate amount of payments to such person from the university of Kansas school of medicine under a residency bridging loan agreement under this section.

~~(i) A person who graduated from the university of Kansas school of medicine prior to July 1, 1992, who has completed the first year of a primary care residency training program in family practice which is operated outside the state of Kansas and who has entered into a practice commitment agreement with the north central Kansas health care foundation is eligible to enter into a residency bridging loan agreement under this section.~~

(j) Notwithstanding any other provision of law to the contrary, no moneys appropriated for the Kansas medical residency bridging program at the university of Kansas school of medicine, except moneys appropriated to the OBGYN medical residency bridging fund or the rural health bridging psychiatry fund, shall be expended for residency bridging loan agreements for medical residents training in obstetrics and gynecology, general psychiatry or child psychiatry.

(k) Subject to appropriations, the university of Kansas school of medicine shall enter into residency bridging loan agreements with three medical residents training in general psychiatry or child psychiatry.

(l) There is hereby established in the state treasury the rural health bridging psychiatry fund. All moneys credited to the rural health bridging psychiatry fund shall be used only for purposes related to residency bridging loan agreements for medical residents training in general psychiatry or child psychiatry pursuant to K.S.A. 76-387, and amendments thereto this section. All expenditures from the rural health bridging psychiatry 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 chancellor of the university of Kansas or the chancellor's designee.

(m) There is hereby established in the state treasury the OBGYN medical residency bridging fund. All moneys credited to the OBGYN medical residency bridging fund shall be used only for purposes related to residency bridging loan agreements for medical residents training in obstetrics and gynecology pursuant to this section. All expenditures from the OBGYN medical residency bridging 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 chancellor of the university of Kansas or the chancellor's designee.

(n) Notwithstanding any other provision of law to the contrary, no moneys shall be

transferred from the comprehensive grant program account of the state board of regents to the rural health bridging psychiatry fund or the OBGYN medical residency bridging fund or expended for any purposes related to the Kansas medical residency bridging program.";

Also on page 2, in line 33, after "K.S.A." by inserting "74-3265, 74-3268, 76-381,"; also in line 33, by striking "is" and inserting ", 76-383, 76-385, 76-386, 76-386a and 76-387 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "the" and inserting "postsecondary and postgraduate"; also in line 1, by striking "student"; in line 2, by striking all before "mental" and inserting "programs and financial assistance therefor; osteopathic medical service scholarships; medical student loan program and residency bridging programs; encouraging the practice of osteopathic medicine, obstetrics and gynecology and"; in line 5, after the semicolon by inserting "establishing the OBGYN medical loan repayment fund and the OBGYN medical residency bridging fund;"; also in line 5, after "K.S.A." by inserting "74-3265, 74-3268, 76-381,"; also in line 5, after "76-382" by inserting ", 76-383, 76-385, 76-386 and 76-387"; also in line 5, by striking "section" and inserting "sections; also repealing K.S.A. 76-386a"; and the bill be passed as amended.

HB 2264, As Amended by House Committee, be amended on page 2, in line 9, by striking "may" and inserting "shall"; in line 10, by striking ", including,"; in line 11, by striking all before the colon and inserting "that"; by striking all in lines 12 through 17; in line 18, by striking all after "objects"; by striking all in lines 19 through 29; in line 30, by striking all before the semicolon; in line 31, by striking "be" and inserting "are"; in line 33, by striking "be" and inserting "are"; in line 35, by striking "(g)" and inserting "(f)"; in line 42, by striking all after "(2)"; in line 43, by striking "(3)";

On page 3, in line 7, by striking "(g)" and inserting "(f)"; by striking all in lines 17 through 24;

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

Also on page 3, following line 24, by inserting:

"Sec. 2. (a) Each patient being cared for in a patient care facility has rights that the patient care facility shall protect and promote. Such rights include:

(1) The right to choose a personal attending physician, to be fully informed in advance about care and treatment, to be fully informed in advance of any changes in care or treatment that may affect the patient's well-being and, except with respect to a patient adjudged incompetent, to participate in planning care and treatment or changes in care and treatment;

(2) the right to be free from physical or mental abuse, corporal punishment, involuntary seclusion and any physical or chemical restraints imposed for purposes of discipline or convenience and not required to treat the patient's medical symptoms. Restraints may only be imposed to ensure the physical safety of the patient or other patients and upon the written order of a physician that specifies the duration and circumstances under which the restraints are to be used, except in emergency circumstances until such order could reasonably be obtained;

(3) the right to privacy regarding accommodations, medical treatment, written and telephonic communications, visits and meetings of family and other visitors;

(4) the right to confidentiality of personal and clinical records and access to current clinical records of the patient upon request by the patient or the patient's legal representative, within 24 hours, excluding hours occurring during a weekend or holiday, after making such a request;

(5) the right to receive services with reasonable accommodation of individual needs and preferences, except where the health or safety of the individual or other patients would be endangered;

(6) the right to voice grievances with respect to treatment or care that is or fails to be furnished, without discrimination or reprisal for voicing the grievances, and the right to prompt efforts by the patient care facility to resolve grievances of the patient;

(7) the right of the patient to participate in social, religious and community activities that do not interfere with the rights of other patients in the patient care facility; and

(8) the right to examine, upon reasonable request, the results of the most recent survey of the patient facility conducted by the patient care facility's licensing body with respect to the patient care facility and any plan of correction in effect with respect to the patient care facility.

(b) As used in this section:

(1) "Patient" means an individual who is receiving care at or is a resident of a patient care facility.

(2) "Patient care facility" includes any adult care home as defined in K.S.A. 39-923, and amendments thereto, and any medical care facility as defined in K.S.A. 65-425, and amendments thereto. "Patient care facility" also includes a hospice that is certified to participate in the medicare program under 42 C.F.R. § 418.1 et seq., and that provides services only to hospice patients.";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, by striking "authorizing" and inserting "requiring"; in line 5, after "procedures" by inserting "; establishing a patient's bill of rights"; and the bill be passed as amended.

HB 2313 be amended on page 2, in line 11, by striking all before "to"; and the bill be passed as amended.

HB 2340, As Amended by House Committee of the Whole, be amended on page 9, following line 14, by inserting:

"(6) A person shall not be issued a community-based professional counselor license if such person has been issued a student temporary addiction counselor license.";

On page 19, following line 24, by inserting:

"(6) A person shall not be issued a community-based social work license if such person has been issued a student temporary addiction counselor license.";

On page 29, following line 26, by inserting:

"(6) A person shall not be issued a community-based marriage and family therapist license if such person has been issued a student temporary addiction counselor license.";

On page 41, following line 12, by inserting:

"(j) A person shall not be issued a student temporary addiction counselor license if such person has been issued a community-based license to practice professional counseling, social work, marriage and family therapy or psychology.";

On page 43, in line 21, by striking "mental" and inserting "substance use";

On page 51, following line 5, by inserting:

"(7) A person shall not be issued a community-based psychologist license if such person has been issued a student temporary addiction counselor license."; and the bill be passed as amended.

REPORT ON ENROLLED BILLS

SB 24 reported correctly enrolled, properly signed and presented to the Governor on March 24, 2023.

SR 1717, SR 1718 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on March 24, 2023.

TRIBUTES

The Committee on Organization, Calendar, and Rules authorizes the following tributes for the week of March 20 through March 24, 2023:

Senator Bowers: congratulating Leonard Wolfe on receiving the 2023 KBA Kansas Ag Bankers Division Pioneer Award, celebrating Helen Schaffer's 100th Birthday;

Senator Faust Goudeau: commending Pastor Elder Zebedee Bell on thirty years of ministry in the Wichita Community;

Senator Gossage: celebrating the Olathe Chamber of Commerce's 100th Anniversary;

Senator Pittman: celebrating Juanita Gnip's 105th Birthday, thanking Mary Ann Brown for her service to the Leavenworth County Historical Society; and

Senator Thompson: commending Friends in Service of Heroes for service to the United States Military and veterans.

On motion of Senator Alley, the Senate adjourned until 10:00 a.m., Monday, March 27, 2023.

Journal of the Senate

FIFTY-SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, March 27, 2023, 10:00 a.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 39 senators present.
Senator Kerschen was excused.
Invocation by Reverend Cecil T. Washington:

Giving To God, Rather Than Him Giving To Us

Lord, I don't want to begin today by asking You for anything. And it's not that we don't have plenty that we could be asking You for, but today, I believe the Psalmist, in the 100th Psalm, had it right. Rather than what we want You to give to us, the focus is what we should give to You. What are You looking for from us? Lord, this 100th Psalm, directs all our attention to You.

Verses 1 and 2, say, 1) Make a joyful noise (of praise) unto the Lord, all you lands; everybody! 2) Serve the Lord (serving His people) with gladness. Come before His presence with singing (even if out of tune.)

Then in Verse 3, He tells us why. It's because of what we should know! 3) Know that the Lord, He is God. It is He who has made us, and not we ourselves. We are His people and the sheep of His pasture.

In Verse 4, Lord, You return us to thanksgiving and praise. 4) Enter into His gates (approach Him) with thanksgiving and into His courts (His presence) with praise. Be thankful to Him and bless His Name.

Then lastly, in Verse 5, You have the Psalmist give us the wrap up. 5) For the Lord is good (You are good.) Your mercy is everlasting and Your truth (that which is real) endures to all generations.

So, Lord, we praise You and thank You. For already, You have given us far more than what we could have asked for or imagined. In Jesus Name, Amen!

The Pledge of Allegiance was led by Vice President Wilborn.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Federal and State Affairs: **SB 323**; **HB 2436**.

CHANGE OF REFERENCE

An objection having been made to **HB 2087** appearing on the **Consent Calendar**, the Vice President directed the bill be removed and placed on the calendar under the

heading of **General Orders**.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

Sub SB 55, AN ACT concerning property taxation; relating to exemptions; expanding and clarifying the exemption for Strother field airport property; amending K.S.A. 79-201r and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 27; Nays 11; Present and Passing 1; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Present and Passing: Steffen.

Absent or Not Voting: Kerschen.

The bill passed.

EXPLANATION OF VOTE

The Department of Revenue indicates that there are currently two parcels of property in Cowley County that have exemption applications pending before the KS Board of Tax Appeals (BOTA.) **Sub SB 55** is a bill that would essentially bypass the KS Board of Tax Appeals' outstanding determination on exception applications concerning those two parcels currently before the board. The legislature needs to stay in its lane and allow the property tax court system to first complete its determination before wading into this matter. For this reason, I vote "NO" on **Sub SB 55**.—TOM HOLLAND

I vote "NO" on **Sub SB 55** for the following reasons: Court of Tax Appeals (COTA) denied Strother Field airport property its request for property tax exemption. They applied to Board of Tax Appeals (BOTA,) had a hearing and are waiting for a decision. I feel it is not appropriate for us to supersede BOTA's discussion and outcome of the hearing. It undermines the process.—USHA REDDI

HB 2096, AN ACT concerning insurance; relating to premium tax; adjusting the basis upon which certain premium tax calculations are made; requiring such premium taxes to be paid 90 days after each calendar year and basing such premium taxes upon the gross premiums collected for the previous calendar year; amending K.S.A. 12-2624 and 44-588 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Kerschen.

The bill passed, as amended.

HB 2097, AN ACT concerning insurance; relating to penalties; failure of agents or brokers to pay premiums; removing the requirement of a documented written demand for premiums as part of a prima facie case; amending K.S.A. 40-247 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Kerschen.

The bill passed, as amended.

HB 2098, AN ACT concerning insurance; relating to insurance laws and enforcement thereof; adding certain legal entities to the definition of "person"; amending K.S.A. 40-2,125 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Kerschen.

The bill passed, as amended.

HB 2100, AN ACT concerning insurance; relating to risk-based capital requirements; updating the version of instructions in effect; amending K.S.A. 2022 Supp. 40-2c01 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Kerschen.

The bill passed, as amended.

HB 2214, AN ACT concerning the department of corrections; relating to facilities; changing the name of the Larned correctional mental health facility to the Larned state correctional facility; removing references to facilities that no longer exist; amending K.S.A. 75-5202 and K.S.A. 2022 Supp. 75-52,167 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle,

Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Kerschen.

The bill passed, as amended.

HB 2285, AN ACT concerning insurance; relating to insurance law; updating certain statutory references contained therein; amending K.S.A. 40-201, 40-216, 40-241 and 40-955 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Kerschen.

The bill passed, as amended.

HB 2298, AN ACT concerning roads and highways; designating a portion of interstate 435 as the Officer Donald Burton Gamblin Jr memorial highway, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Kerschen.

The bill passed, as amended.

COMMITTEE OF THE WHOLE

On motion of Senator Alley, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Longbine in the chair.

SB 300; HB 2080, HB 2240 be passed.

HB 2322 be amended by motion of Senator Baumgardner; on page 4, in line 12, after "autism," by inserting "dyslexia,";

On page 5, in line 7, after "autism," by inserting "dyslexia,";

On page 1, in the title, in line 3, after "disability" by inserting "and include dyslexia" and **HB 2322** be passed as amended.

HB 2039, HB 2173, HB 2234, HB 2375 be amended by the adoption of the committee amendments, and the bills be passed as amended.

SB 147 be amended by the adoption of the committee amendments, be further amended by motion of Senator Sykes; on page 1, following line 5, by inserting:

"Section 1. K.S.A. 79-32,111c is hereby amended to read as follows: 79-32,111c.

(a) There shall be allowed as a credit against the tax liability of a resident individual imposed under the Kansas income tax act an amount equal to 12.5% for tax year 2018; an amount equal to 18.75% for tax year 2019; ~~and~~ an amount equal to 25% for tax-year

years 2020 through 2022; and an amount equal to 50% for tax year 2023, and all tax years thereafter, of the amount of the credit allowed against such taxpayer's federal income tax liability pursuant to 26 U.S.C. § 21 for the taxable year in which such credit was claimed against the taxpayer's federal income tax liability.

(b) The credit allowed by subsection (a) shall not exceed the amount of the tax imposed by K.S.A. 79-32,110, and amendments thereto, reduced by the sum of any other credits allowable pursuant to law.

(c) No credit provided under this section shall be allowed to any individual who fails to provide a valid social security number issued by the social security administration, to such individual, the individual's spouse and every dependent of the individual.";

On page 2, in line 18, after "K.S.A." by inserting "79-32,111c and"; also in line 18, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the semicolon by inserting "increasing the tax credit amount for household and dependent care expenses;"; in line 3, after "K.S.A." by inserting "79-32,111c and"; also in line 3, by striking "section" and inserting "sections"

SB 147 be further amended by motion of Senator Holland; on page 2, in line 5, before "and" by inserting "(1)"; in line 6, before "shall" by inserting "for tax years 2014 through 2022"; also on page 2, following line 17, by inserting:

"(d) For tax year 2023, and all tax years thereafter, if the amount of the credit allowed by subsections (a)(2) and (b) exceeds the taxpayer's income tax liability for such taxable year, the amount thereof that exceeds such tax liability shall be refunded to the taxpayer.";

On page 1, in the title, in line 2, before the semicolon by inserting "and making the credit refundable"

SB 147 be further amended by motion of Senator Pittman; on page 1, in line 26, after "to" by inserting ": (A)"; in line 29, after "section" by inserting "; and (B) in addition to subsection (a)(2)(A), 50% of the amount of such federal income tax credit, if the child adopted by the taxpayer is a child with special needs, as defined in section 23 of the federal internal revenue code, and the child was a resident of Kansas prior to such lawful adoption,"

and **SB 147** be passed as further amended.

HB 2059 be amended by the adoption of the committee amendments, be further amended by motion of Senator Blasi; on page 1, following line 8, by inserting:

"Section 1. On and after July 1, 2023, K.S.A. 41-104 is hereby amended to read as follows: 41-104. (a) No person shall manufacture, bottle, blend, sell, barter, transport, deliver, furnish or possess any alcoholic liquor for beverage purposes, except as specifically provided in this act, the club and drinking establishment act or article 27 of chapter 41 of the Kansas Statutes Annotated, and amendments thereto, except that nothing contained in ~~this act~~ such acts shall prevent:

~~(a)~~(1) The possession and transportation of alcoholic liquor for the personal use of the possessor, the possessor's family and guests except that the provisions of K.S.A. 41-407, and amendments thereto, shall be applicable to all persons;

~~(b)~~(2) the making of wine, cider or beer by a person from fruits, vegetables or grains, or the product thereof, by simple fermentation and without distillation, if it is made solely for the use of the maker, the maker's family, guests and judges at a contest

or competition of such beverages, provided, the maker receives no compensation for producing such beverages or for allowing the consumption thereof;

~~(e)~~(3) any duly licensed practicing physician or dentist from possessing or using alcoholic liquor in the strict practice of the medical or dental profession;

~~(d)~~(4) any hospital or other institution caring for sick and diseased persons, from possessing and using alcoholic liquor for the treatment of bona fide patients of such hospital or institution;

~~(e)~~(5) any drugstore employing a licensed pharmacist from possessing and using alcoholic liquor in the compounding of prescriptions of duly licensed physicians;

~~(f)~~(6) the possession and dispensation of wine by an authorized representative of any church for the purpose of conducting any bona fide rite or religious ceremony conducted by such church;

~~(g)~~(7) the sale of wine to a consumer in this state by a person which holds a valid license authorizing the manufacture of wine in this or another state and the shipment of such wine directly to such consumer, subject to the following:

~~(1)~~(A) The consumer must be at least 21 years of age;

~~(2)~~(B) the consumer must purchase the wine while physically present on the premises of the wine manufacturer;

~~(3)~~(C) the wine must be for the consumer's personal consumption and not for resale; and

~~(4)~~(D) the consumer shall comply with the provisions of K.S.A. 41-407, and amendments thereto, by payment of all applicable taxes within such time after purchase of the wine as prescribed by rules and regulations adopted by the secretary;

~~(h)~~(8) the serving of complimentary alcoholic liquor or cereal malt beverages at fund raising activities of charitable organizations as defined by K.S.A. 17-1760, and amendments thereto, and as qualified pursuant to 26-U.S.C.A. U.S.C. § 501(c) and by committees formed pursuant to K.S.A. 25-4142 et seq., and amendments thereto. The serving of such alcoholic liquor at such fund raising activities shall not constitute a sale pursuant to this act, the club and drinking establishment act or article 27 of chapter 41 of the Kansas Statutes Annotated, and amendments thereto. Any such fund raising activity shall not be required to obtain a license or a temporary permit pursuant to this act, the club and drinking establishment act or article 27 of chapter 41 of the Kansas Statutes Annotated, and amendments thereto; ~~or~~

~~(i)~~(9) the serving of complimentary alcoholic liquor or cereal malt beverage on the unlicensed premises of a business by the business owner or owner's agent at an event sponsored by a nonprofit organization promoting the arts and which has been approved by ordinance or resolution of the governing body of the city, county or township wherein the event will take place and whereby the director of the alcoholic beverage control has been notified thereof no less than 10 days in advance; or

(10) the provision of alcoholic liquor or cereal malt beverage as a prize for a charitable raffle conducted in accordance with K.S.A. 75-5171 et seq., and amendments thereto, except that no such prize shall be provided to any person under 21 years of age.

~~(j)~~(b) For purposes of subsection ~~(b)~~ (a)(2), the term "guest" means a natural person who is known to the host and receives a personal invitation to an event conducted by the host. The term "guest" ~~shall does~~ not mean a natural person who receives an invitation to an event conducted by the host when such invitation has been made available to the general public.";

On page 7, in line 41, after "K.S.A." by inserting "41-104 and"; also in line 41, by striking "is" and inserting "are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after the semicolon by inserting "exempting charitable raffle prizes of alcoholic liquor and cereal malt beverages from the Kansas liquor control act, the club and drinking establishment act and the Kansas cereal malt beverage act;"; in line 4, after "K.S.A." by inserting "41-104," and **HB 2059** be passed as further amended.

The Committee rose and reported progress. (See Committee of the Whole afternoon session)

On motion of Senator Alley, the Senate recessed until 2:30 p.m.

AFTERNOON SESSION

The Senate met pursuant to recess with Vice President Wilborn in the Chair.

COMMITTEE OF THE WHOLE

The Senate returned to Committee of the whole for consideration of bills under the heading of General Orders with Senator Longbine in the chair.

On motion of Senator Longbine, the report for the morning and the following afternoon session was adopted.

HB 2082; Sub HB 2121; HB 2226, HB 2269, HB 2288 be passed.

SB 265 be amended by motion of Senator Haley; on page 1, following line 6, by inserting:

"New Section 1. (a) Notwithstanding any provision of law to the contrary, if a defendant is convicted of an offense that resulted in the incapacitation or death of a victim who is the parent or guardian of a minor child, then the court shall order the defendant to pay restitution in the form of reasonable and necessary support of each minor child of the victim until each minor child reaches 18 years of age and has graduated from high school, or the class of which the minor child is a member when the child reaches 18 years of age has graduated from high school.

(b) When determining the amount of support that is reasonable and necessary for the support of the child, the court shall consider all relevant factors, including, but not limited to:

- (1) The age of the child;
 - (2) the financial needs and resources of the child;
 - (3) the financial resources and needs of the surviving parent or guardian of the child or the financial resources of the state if the child is in the custody of the secretary for children and families;
 - (4) the standard of living to which the child is accustomed;
 - (5) the physical and emotional condition of the child and the child's educational needs;
 - (6) the child's legal custody and residency; and
 - (7) the reasonable child care expenses of the surviving parent or guardian.
- (c) The court shall order the support payments be paid to the child's parent or guardian. The court's order shall be enforced as a judgment of restitution pursuant to

K.S.A. 20-169, and amendments thereto, and K.S.A. 2022 Supp. 21-6604(b)(2), and amendments thereto. Payments shall continue until the entire arrearage is paid in full.

(d) (1) If the victim or the victim's family brings a civil action against the defendant prior to the court ordering the defendant to pay the restitution described in this section and the victim or the victim's family obtains a judgment in such action, then the restitution described in this section shall not be ordered.

(2) If the court enters an order pursuant to this section and the victim or the victim's family subsequently brings a civil action against the defendant and obtains a judgment in such action, then the order entered pursuant to this section shall be offset by the amount of the judgment in such action.

(e) This section shall be a part of and supplemental to the Kansas code of criminal procedure.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, after the semicolon by inserting "relating to restitution; requiring a person convicted of an offense that resulted in the incapacitation or death of a victim who is the parent or guardian of a minor child to pay restitution in the form of child support;"

And the bill be passed as amended.

SB 271, SB 309; HB 2019, HB 2125, HB 2196, HB 2236, HB 2263, HB 2284, HB 2292, HB 2335 be amended by the adoption of the committee amendments, and the bills be passed as amended.

A motion by Senator Straub to amend **HB 2125** failed.

A motion to further amend **HB 2236** was offered by Senator Pettey.

A ruling of the chair was requested as to the germaneness to the bill. The Chair of the Rules Committee ruled the amendment not germane.

In accordance with Senate Rule 27, Senator Sykes requested that the question on **HB 2263**, as amended by Senate Committee, be divided into two parts.

Part One was retained by voice vote.

Upon the showing of five hands a roll call vote was requested on Part Two.

On roll call, the vote was: Yeas 26; Nays 12; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claey's, Erickson, Fagg, Gossage, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Absent or Not Voting: Dietrich, Kerschen.

Part Two was retained.

SB 291 be amended by the adoption of the committee amendments, be further amended by motion of Senator Tyson; on page 1, in line 24, by striking "6" and inserting "9";

On page 2, in line 4, after "(4)" by inserting "'Entity" means a partnership, association, trust, joint venture, corporation, group, subgroup or other non-United States governmental organization.

(5)";

On page 3, following line 22, by inserting:

"(9) (A) "Foreign adversary" means any government or nongovernment person

determined to be a foreign adversary pursuant to 15 C.F.R. § 7.4, as in effect on July 1, 2023, except as otherwise provided by paragraph (2).

(B) Upon any occasion when 15 C.F.R. § 7.4 is amended after July 1, 2023, the attorney general may, in the attorney general's sole discretion, adopt rules and regulations to add or remove a government or nongovernment person from the definition of "foreign adversary" but only after giving due consideration to the risks to state and national security and the economic costs and benefits of such action.";

Also on page 3, following line 27, by inserting:

"(12) "Person" means an individual or entity.

(13) "Person owned by, controlled by or subject to the jurisdiction or direction of a foreign adversary" means:

(A) Any person, wherever located, who acts as an agent, representative or employee, or any person who acts in any other capacity at the order, request or under the direction or control, of a foreign adversary or of a person whose activities are directly or indirectly supervised, directed, controlled, financed or subsidized in whole or in majority part by a foreign adversary;

(B) any person, wherever located, who is a citizen or resident of a nation-state controlled by a foreign adversary, unless such person is a dual citizen of the United States and a foreign adversary;

(C) any corporation, partnership, association or other organization organized under the laws of a nation-state controlled by a foreign adversary; or

(D) any corporation, partnership, association or other organization, wherever organized or doing business, that is owned or controlled by a foreign adversary.";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 5, following line 12, by inserting:

"New Sec. 4. (a) The board shall sell, redeem, divest or withdraw all publicly traded securities of any foreign adversary or person owned by, controlled by or subject to the jurisdiction or direction of a foreign adversary in accordance with the following schedule:

(1) At least 50% of those assets shall be removed from the system's assets under management not later than one year after the effective date of this act or one year from the date 15 C.F.R. § 7.4 is amended to include such foreign adversary if amended after July 1, 2023, unless the board determines that a later date is more prudent, based on a good faith exercise of the board's fiduciary discretion and subject to paragraph (2); and

(2) 100% of such assets shall be removed from the system's assets under management not later than 18 months after the effective date of this act or one year from the date 15 C.F.R. § 7.4 is amended to include such foreign adversary if amended after July 1, 2023.

(b) The system may not acquire securities of any foreign adversary or person owned by, controlled by or subject to the jurisdiction or direction of a foreign adversary.

New Sec. 5. The board shall divest from any indirect holdings in actively or passively managed investment funds or private equity funds containing publicly traded securities of any foreign adversary or person owned by, controlled by or subject to the jurisdiction or direction of a foreign adversary. The board shall submit letters to the managers of each investment fund containing publicly traded securities of any foreign adversary or person owned by, controlled by or subject to the jurisdiction or direction of

a foreign adversary requesting that they remove such publicly traded securities from the fund or create a similar actively or passively managed fund with indirect holdings devoid of such publicly traded securities. If a manager creates a similar fund with substantially the same management fees and substantially the same level of investment risk and anticipated return, the board may replace all applicable investments with investments in the similar fund in a time frame consistent with prudent fiduciary standards but not later than the 450th day after the date the fund is created. If a manager does not create such similar fund, the board shall divest from such indirect holdings in actively or passively managed investment funds or private equity funds.

New Sec. 6. Not later than the first day of the regular session of the legislature, each year, the board shall file a report with the treasurer, the president of the senate, the speaker of the house of representatives and the attorney general that:

(a) Identifies all securities sold, redeemed, divested or withdrawn in compliance with section 4(a), and amendments thereto;

(b) identifies all prohibited investments under section 4(b), and amendments thereto; and

(c) summarizes any changes made under section 5, and amendments thereto.";

And by renumbering sections accordingly;

On page 1, in the title, in line 17, before "providing" by inserting "directing the board of trustees of the Kansas public employees retirement system to divest from investments with foreign adversaries;"

And **SB 291** be passed as further amended.

A motion to further amend **SB 291** was offered by Senator Steffen. A ruling of the chair was requested as to the germaneness to the bill.

The Chair of the Rules Committee ruled the amendment not germane.

The ruling of the Chair was challenged.

The ruling of the Chair was sustained by voice vote.

SB 252 be amended by the adoption of the committee amendments, be further amended by motion of Senator Baumgardner; on page 1, in line 28, after the period by inserting "'Competes against the business" does not include providing such goods or services at a facility that was funded as the result of an election where voters of the governmental entity approved the imposition of a tax or other funding for the facility, its operations or the repayment of bonds related to the facility."

and **SB 252** be passed as further amended.

The committee report on **HB 2010** recommending **S Sub HB 2010** be adopted, and the substitute bill be passed.

S Sub HB 2016 be passed over and retain a place on the calendar.

MESSAGE FROM THE HOUSE

The House accedes to the request of the Senate for a conference on **SB 15** and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 18** and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 28** and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the

House.

The House accedes to the request of the Senate for a conference on **SB 106** and has appointed Representatives Francis, Neelly and Ballard as conferees on the part of the House.

REPORTS OF STANDING COMMITTEES

The Committee on **Assessment and Taxation** recommends **HB 2002** be amended on page 1, following line 6, by inserting:

"New Section 1. Adverse influences not sufficiently accounted for in the agricultural use valuation formula for land devoted to agricultural use shall be addressed by the director of property valuation and the county appraiser. Adverse influences include, but are not limited to, canopy cover, salinity and alkalinity, water table fluctuation and newly constructed drainage and flood control areas. The county appraiser shall address canopy cover, salinity and alkalinity, water table fluctuation and newly constructed drainage and flood control areas as follows:

- (a) For canopy cover, the county appraiser shall:
 - (1) View the parcel;
 - (2) delineate the area impacted on a map;
 - (3) determine the appropriate reduction from actual inspection and make the appropriate reduction as follows:
 - (A) 0 to 25% cover = no reduction;
 - (B) 25% to 50% cover = 20% reduction;
 - (C) 50% to 75% cover = 30% reduction; and
 - (D) 75% to 100% cover = 50% reduction; and
 - (4) establish an adverse influence file for the parcel;
- (b) for salinity and alkalinity, the county appraiser shall:
 - (1) Request that the taxpayer provide soil analysis from a crop consulting service;
 - (2) delineate the area impacted on a map;
 - (3) reduce the value as indicated by the report;
 - (4) establish an adverse influence file for the parcel; and
 - (5) notify the local United States department of agriculture natural resources conservation service (NRCS) office of the change;
- (c) for water table fluctuation, the county appraiser shall:
 - (1) Delineate the area impacted on a map;
 - (2) contact the local NRCS office and request verification;
 - (3) contact the division of property valuation for assistance;
 - (4) obtain a temporary influence amount from the division of property valuation to use until the NRCS review is complete; and
 - (5) establish an adverse influence file for the parcel; and
- (d) for newly constructed drainage and flood control areas, the county appraiser shall:
 - (1) View the parcel;
 - (2) delineate the area impacted on a map;
 - (3) contact the division of property valuation for assistance;
 - (4) receive an adverse influence amount from the division of property valuation after the division contacts the responsible agency; and
 - (5) establish an adverse influence file for the parcel.

Sec. 2. K.S.A. 2022 Supp. 79-1460 is hereby amended to read as follows: 79-1460.
 (a) (1) The county appraiser shall notify each taxpayer in the county annually on or before March 1 for real property and May 1 for personal property, by mail directed to the taxpayer's last known address, of the classification and appraised valuation of the taxpayer's property, except that, the valuation for all real property shall not be increased unless the record of the latest physical inspection was reviewed by the county or district appraiser, and documentation exists to support such increase in valuation in compliance with the directives and specifications of the director of property valuation, and such record and documentation is available to the affected taxpayer. The valuation for all real property also shall not be increased solely as the result of normal repair, replacement or maintenance of existing structures, equipment or improvements on the property. ~~For purposes of this section, "normal repair, replacement or maintenance" does not include new construction as defined in this section.~~ For the next two taxable years following the taxable year that the valuation for commercial real property has been reduced due to a final determination made pursuant to the valuation appeals process, the county appraiser shall review the computer-assisted mass-appraisal of the property and if, the valuation in either of those two years exceeds the value of the previous year by more than 5%, excluding new construction, change in use or change in classification, the county appraiser shall either:

~~(1)(A)~~ (A) Adjust the valuation of the property based on the information provided in the previous appeal; or

~~(2)(B)~~ (B) order an independent fee simple appraisal of the property to be performed by a Kansas certified real property appraiser. ~~As used in this section, "new construction" means the construction of any new structure or improvements or the remodeling or renovation of any existing structures or improvements on real property.~~

(2) When the valuation for real property has been reduced due to a final determination made pursuant to the valuation appeals process for the prior year, and the county appraiser has already certified the appraisal rolls for the current year to the county clerk pursuant to K.S.A. 79-1466, and amendments thereto, the county appraiser may amend the appraisal rolls and certify the changes to the county clerk to implement the provisions of this subsection and reduce the valuation of the real property to the prior year's final determination, except that such changes shall not be made after October 31 of the current year. ~~For the purposes of this section and in the case of real property, the term "taxpayer" shall be deemed to be the person in ownership of the property as indicated on the records of the office of register of deeds or county clerk and, in the case where the real property or improvement thereon is the subject of a lease agreement, such term shall also be deemed to include the lessee of such property if the lease agreement has been recorded or filed in the office of the register of deeds. Such notice~~

(b) (1) The notice provided under subsection (a) shall specify:

(A) Separately ~~both for the previous and current two tax years and the current tax year,~~ the appraised and assessed values for each property class identified on the parcel. ~~Such notice shall also contain:~~

(B) the uniform parcel identification number prescribed by the director of property valuation. ~~Such notice shall also contain; and~~

(C) a statement of the taxpayer's right to appeal, the procedure to be followed in making such appeal and the availability without charge of the guide devised pursuant to

subsection ~~(b)~~ (c).

(2) Such notice may, and if the board of county commissioners so require, shall provide the parcel identification number, address and the sale date and amount of any or all sales utilized in the determination of appraised value of residential real property.

(c) In any year in which no change in appraised valuation of any real property from its appraised valuation in the next preceding year is determined, an alternative form of notification which has been approved by the director of property valuation may be utilized by a county.

(d) Failure to timely mail or receive such notice shall in no way invalidate the classification or appraised valuation as changed. The secretary of revenue shall adopt rules and regulations necessary to implement the provisions of this section.

~~(b) For all taxable years commencing after December 31, 1999,~~

(e) There shall be provided to each taxpayer, upon request, a guide to the property tax appeals process. The director of the division of property valuation shall devise and publish such guide; and shall provide sufficient copies thereof to all county appraisers. Such guide shall include, but not be limited to:

(1) A restatement of the law which pertains to the process and practice of property appraisal methodology, including the contents of K.S.A. 79-503a and 79-1460, and amendments thereto;

(2) the procedures of the appeals process, including the order and burden of proof of each party and time frames required by law; and

(3) such other information deemed necessary to educate and enable a taxpayer to properly and competently pursue an appraisal appeal.

(f) As used in this section:

(1) "New construction" means the construction of any new structure or improvements or the remodeling or renovation of any existing structures or improvements on real property.

(2) "Normal repair, replacement or maintenance" does not include new construction.

(3) "Taxpayer" means the person in ownership of the property as indicated on the records of the office of register of deeds or county clerk and includes the lessee of such property if the lease agreement has been recorded or filed in the office of the register of deeds and the real property or improvement thereon is subject of a lease agreement.

Sec. 3. K.S.A. 79-1496 is hereby amended to read as follows: 79-1496. Within 60 days after the date the notice of informal meeting results or final determination is mailed to the taxpayer pursuant to K.S.A. 79-1448, and amendments thereto, any taxpayer aggrieved by the final determination of the county appraiser, who has not filed an appeal with the board of tax appeals pursuant to K.S.A. 74-2433f, 79-1448, 79-1609 or 79-1611, and amendments thereto, may file with the county appraiser a third-party fee simple appraisal performed by a Kansas certified general real property appraiser that reflects the value of the property as of January 1 for the same tax year being appealed. For determinations and appeals relating to residential property pursuant to this section, a taxpayer may file with the county appraiser a third-party fee simple appraisal performed by either a Kansas certified residential real property appraiser or a Kansas certified general real property appraiser that reflects the value of the property as of January 1 for the same tax year being appealed. Within 15 days after receipt of the appraisal, the county appraiser shall review and consider such appraisal in the determination of

valuation or classification of the taxpayer's property and mail a supplemental notice of final determination. If the final determination is not in favor of the taxpayer then the county appraiser shall notify the taxpayer that the county is required to perform its own, or commission a fee simple single property appraisal. The county appraiser shall then have 90 days to furnish that appraisal along with a new supplemental notice of determination and if not in favor of the taxpayer include an explanation of the reasons the county appraiser did not rely upon the taxpayer's fee simple single property appraisal. Whenever a taxpayer submits a fee simple single property appraisal the burden of proof shall be on the county appraiser to dispute the value of that appraisal. Any taxpayer aggrieved by the final determination of the county appraiser may appeal to the state board of tax appeals as provided in K.S.A. 79-1609, and amendments thereto, within 30 days subsequent to the date of mailing of the supplemental notice of final determination.

Sec. 4. K.S.A. 2022 Supp. 79-2988 is hereby amended to read as follows: 79-2988.

(a) On or before June 15 each year, the county clerk shall calculate the revenue neutral rate for each taxing subdivision and include such revenue neutral rate on the notice of the estimated assessed valuation provided to each taxing subdivision for budget purposes. The director of accounts and reports shall modify the prescribed budget information form to show the revenue neutral rate.

(b) No tax rate in excess of the revenue neutral rate shall be levied by the governing body of any taxing subdivision unless a resolution or ordinance has been approved by the governing body according to the following procedure:

(1) At least 10 days in advance of the public hearing, the governing body shall publish notice of its proposed intent to exceed the revenue neutral rate by publishing notice ~~(A)~~ on the website of the governing body, if the governing body maintains a website; and

~~(B)~~ in a weekly or daily newspaper of the county having a general circulation therein. The notice shall include, but not be limited to, its proposed tax rate, its revenue neutral rate and the date, time and location of the public hearing.

(2) On or before July 20, the governing body shall notify the county clerk of its proposed intent to exceed the revenue neutral rate and provide the date, time and location of the public hearing and its proposed tax rate. For all tax years commencing after December 31, 2021, the county clerk shall notify each taxpayer with property in the taxing subdivision, by mail directed to the taxpayer's last known address, of the proposed intent to exceed the revenue neutral rate at least 10 days in advance of the public hearing. Alternatively, the county clerk may transmit the notice to the taxpayer by electronic means at least 10 days in advance of the public hearing, if such taxpayer and county clerk have consented in writing to service by electronic means. The county clerk shall consolidate the required information for all taxing subdivisions relevant to the taxpayer's property on one notice. The notice shall be in a format prescribed by the director of accounts and reports. The notice shall include, but not be limited to:

~~(A) The revenue neutral rate of each taxing subdivision relevant to the taxpayer's property;~~

~~(B) the proposed property tax revenue needed to fund the proposed budget of the taxing subdivision, if the taxing subdivision notified the county clerk of its proposed intent to exceed its revenue neutral rate;~~

~~(C) the proposed tax rate based upon the proposed budget and the current year's~~

total assessed valuation of the taxing subdivision, if the taxing subdivision notified the county clerk of its proposed intent to exceed its revenue neutral rate;

(D) the percentage by which the proposed tax rate exceeds the revenue neutral rate;

(E) the tax rate and property tax of each taxing subdivision on the taxpayer's property from the previous year's tax statement;

(F) the appraised value and assessed value of the taxpayer's property for the current year;

(G) the estimates of the tax for the current tax year on the taxpayer's property based on the revenue neutral rate of each taxing subdivision and any proposed tax rates that exceed the revenue neutral rates;

(H) the difference between the estimates of tax based on the proposed tax rate and the revenue neutral rate on the taxpayer's property described in subparagraph (G) for any taxing subdivision that has a proposed tax rate that exceeds its revenue neutral rate; and

(I) the date, time and location of the public hearing of the taxing subdivision, if the taxing subdivision notified the county clerk of its proposed intent to exceed its revenue neutral rate.
The following heading:

"NOTICE OF PROPOSED PROPERTY TAX INCREASE AND PUBLIC HEARINGS

[Current year] [County name] County Revenue Neutral Rate Notice

This is NOT a bill. Do not remit payment.";

(B) the following statement:

"This notice contains estimates of the tax on your property and proposed property tax increases. THE ACTUAL TAX ON YOUR PROPERTY MAY INCREASE OR DECREASE FROM THESE ESTIMATES. Governing bodies of taxing subdivisions must vote in order to exceed the Revenue Neutral Rate to increase the total property taxes collected. Governing bodies will vote at public hearings at the dates, times and locations listed. Taxpayers may attend and comment at the hearings. Property tax statements will be issued after mill rates are finalized and taxes are calculated.";

(C) the appraised value and assessed value of the taxpayer's property for the current year and the previous year;

(D) the amount of property tax of each taxing subdivision on the taxpayer's property from the previous year's tax statement in a column titled: "[Previous year] Tax";

(E) the estimated amount of property tax for the current year of each taxing subdivision on the taxpayer's property based on the revenue neutral rate of each taxing subdivision in a column titled: "[Current year] Tax at Revenue Neutral Rate";

(F) the estimated amount of property tax for the current year of each taxing subdivision on the taxpayer's property based on either: (i) The revenue neutral rate for a taxing subdivision that does not intend to exceed its revenue neutral rate; or (ii) the proposed tax rate provided by the taxing subdivision, if the taxing subdivision notified the county clerk of its proposed intent to exceed its revenue neutral rate in a column titled: "[Current year] Maximum Tax";

(G) the difference between the amount of the current year's maximum tax and the previous year's tax, reflected in dollars and a percentage, for each taxing subdivision in a column titled: "[Current year] Maximum Tax Exceeding [Previous year] Tax";

(H) the date, time and location of the public hearing of each taxing subdivision that

notified the county clerk of its proposed intent to exceed its revenue neutral rate in a column titled: "Date, Time and Location of Public Hearing"; and

(1) for each taxing subdivision public hearing listed pursuant to subparagraph (H), the difference between the current year's maximum tax and the estimated amount of property tax based on the revenue neutral rate of such taxing subdivision in a column titled: "[Current year] Maximum Tax Exceeding Tax at Revenue Neutral Rate".

Although the state of Kansas is not a taxing subdivision for purposes of this section, the notice shall include ~~a statement of the statutory mill levies imposed by the state~~ the previous year's tax amount and the estimate of the tax for the current year on the taxpayer's property based on ~~such the statutory mill~~ levies.

(3) The public hearing to consider exceeding the revenue neutral rate shall be held not sooner than August 20 and not later than September 20. The governing body shall provide interested taxpayers desiring to be heard an opportunity to present oral testimony within reasonable time limits and without unreasonable restriction on the number of individuals allowed to make public comment. The public hearing may be conducted in conjunction with the proposed budget hearing pursuant to K.S.A. 79-2929, and amendments thereto, if the governing body otherwise complies with all requirements of this section. Nothing in this section shall be construed to prohibit additional public hearings that provide additional opportunities to present testimony or public comment prior to the public hearing required by this section.

(4) A majority vote of the governing body, by the adoption of a resolution or ordinance to approve exceeding the revenue neutral rate, shall be required prior to adoption of a proposed budget that will result in a tax rate in excess of the revenue neutral rate. Such vote of the governing body shall be conducted at the public hearing after the governing body has heard from interested taxpayers and shall be a roll call vote. If the governing body approves exceeding the revenue neutral rate, the governing body shall not adopt a budget that results in a tax rate in excess of its proposed tax rate as stated in the notice provided pursuant to this section. A copy of the resolution or ordinance to approve exceeding the revenue neutral rate and a certified copy of any roll call vote reporting, at a minimum, the name and vote of each member of the governing body related to exceeding the revenue neutral rate, whether approved or not, shall be included with the adopted budget, budget certificate and other budget forms filed with the county clerk and the director of accounts and reports and shall be published on the website of the department of administration.

(c) (1) Any governing body subject to the provisions of this section that does not comply with subsection (b) shall refund to taxpayers any property taxes over-collected based on the amount of the levy that was in excess of the revenue neutral rate.

(2) Any taxpayer of the taxing subdivision that is the subject of the complaint or such taxpayer's duly authorized representative may file a complaint with the state board of tax appeals by filing a written complaint, on a form prescribed by the board, that contains the facts that the complaining party believes show that a governing body of a taxing subdivision did not comply with the provisions of subsection (b) and that a reduction or refund of taxes is appropriate. The complaining party shall provide a copy of such complaint to the governing body of the taxing subdivision making the levy that is the subject of the complaint. Notwithstanding K.S.A. 74-2438a, and amendments thereto, no filing fee shall be charged by the executive director of the state board of tax appeals for a complaint filed pursuant to this paragraph. The governing body of the

taxing subdivision making the levy that is the subject of the complaint shall be a party to the proceeding. Notice of any summary proceeding or hearing shall be served upon such governing body, the county clerk, the director of accounts and reports and the complaining party. It shall be the duty of the governing body to initiate the production of evidence to demonstrate, by a preponderance of the evidence, the validity of such levy. If upon a summary proceeding or hearing, it shall be made to appear to the satisfaction of the board that the governing body of the taxing subdivision did not comply with subsection (b), the state board of tax appeals shall order such governing body to refund to taxpayers the amount of property taxes over collected or reduce the taxes levied, if uncollected. The provisions of this paragraph shall not be construed as prohibiting any other remedies available under the law.

(d) On and after January 1, 2022, in the event that the 20 mills levied by a school district pursuant to K.S.A. 72-5142, and amendments thereto, increases the property tax revenue generated for the purpose of calculating the revenue neutral rate from the previous tax year and such amount of increase in revenue generated from the 20 mills is the only reason the school district would exceed the total property tax revenue from the prior year, the school district shall be deemed to not have exceeded the revenue neutral rate in levying a tax rate in excess of the revenue neutral rate to take into account the increase in revenue from only the 20 mills.

(e) (1) Notwithstanding any other provision of law to the contrary, if the governing body of a taxing subdivision must conduct a public hearing to approve exceeding the revenue neutral rate under this section, the governing body of the taxing subdivision shall certify, on or before October 1, to the proper county clerk the amount of ad valorem tax to be levied.

(2) If a governing body of a taxing subdivision did not comply with the provisions of subsection (b) and certifies to the county clerk an amount of ad valorem tax to be levied that would result in a tax rate in excess of its revenue neutral rate, the county clerk shall reduce the ad valorem tax to be levied to the amount resulting from such taxing subdivision's revenue neutral rate.

(f) As used in this section:

(1) "Taxing subdivision" means any political subdivision of the state that levies an ad valorem tax on property.

(2) "Revenue neutral rate" means the tax rate for the current tax year that would generate the same property tax revenue as levied the previous tax year using the current tax year's total assessed valuation. To calculate the revenue neutral rate, the county clerk shall divide the property tax revenue for such taxing subdivision levied for the previous tax year by the total of all taxable assessed valuation in such taxing subdivision for the current tax year, and then multiply the quotient by 1,000 to express the rate in mills. The revenue neutral rate shall be expressed to the third decimal place.

(g) In the event that a county clerk incurred costs of printing and postage that were not reimbursed pursuant to K.S.A. 2022 Supp. 79-2989, 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.

(h) The department of administration or the director of accounts and reports shall make copies of adopted budgets, budget certificates, other budget documents and

revenue neutral rate documents available to the public on the department of administration's website on a permanently accessible web page that may be accessed via a conspicuous link to that web page placed on the front page of the department's website. The department of administration or the director of accounts and reports shall also make the following information for each tax year available on such website:

- (1) A list of taxing subdivisions by county;
- (2) whether each taxing subdivision conducted a hearing to consider exceeding its revenue neutral rate;
- (3) the revenue neutral rate of each taxing subdivision;
- (4) the tax rate resulting from the adopted budget of each taxing subdivision; and
- (5) the percent change between the revenue neutral rate and the tax rate for each taxing subdivision.";

Also on page 1, in line 8, before "If" by inserting "For calendar years 2023 and 2024,"; in line 28, before "K.S.A." by inserting "K.S.A. 79-1496 and"; also in line 28, after "Supp." by inserting "79-1460, 79-2988 and"; also in line 28, by striking "is" and inserting "are"; in line 30, by striking "statute book" and inserting "Kansas register";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, by striking "the taxpayer notification costs fund" and inserting "property taxation"; also in line 1, by striking all after the semicolon; in line 2, by striking all before "reimbursement" and inserting "relating to the revenue neutral rate; extending"; also in line 2, after the second "the" by inserting "taxpayer notification costs"; in line 3, by striking "beyond" and inserting "for"; also in line 3, by striking "2023" and inserting "2024; modifying and prescribing the contents of the revenue neutral rate public hearing notice; relating to valuation and appeals; providing two prior years' values on the annual valuation notice; allowing for filing of an appraisal by a certified residential real property appraiser for appeal purposes; accounting for adverse influences in the valuation of agricultural land"; also in line 3, after "amending" by inserting "K.S.A. 79-1496 and"; in line 4, after "Supp." by inserting "79-1460, 79-2988 and"; also in line 4, by striking "section" and inserting "sections"; and the bill be passed as amended.

Committee on **Education** recommends **HB 2060** be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2060," as follows:

"Senate Substitute for HOUSE BILL NO. 2060

By Committee on Education

"AN ACT concerning education; relating to postsecondary educational institutions; authorizing payments from the state safety fund to community colleges for the provision of driver's education; authorizing the provision of tools, supplies and examinations for participants in an AO-K career pathway program; including high school equivalency credentials in performance-based payments for postsecondary educational institutions; amending K.S.A. 8-272 and 74-32,434 and K.S.A. 2022 Supp. 74-32,267 and repealing the existing sections.";

And the substitute bill be passed.

Also, **HB 2138** be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2138," as follows:

"Senate Substitute for HOUSE BILL NO. 2138

By Committee on Education

"AN ACT concerning education; relating to school districts; requiring separate overnight accommodations for students of each biological sex during school district sponsored travel; providing for administrative review of resolutions to permanently close a school building; amending K.S.A. 72-1431 and repealing the existing section.";

And the substitute bill be passed.

Committee on **Judiciary** recommends **HB 2069** be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2069," as follows:

"Senate Substitute for HOUSE BILL NO. 2069

By Committee on Judiciary

"AN ACT concerning real property; relating to the conveyance thereof; prohibiting the conveyance of certain real property to foreign adversaries; establishing criminal penalties therefor; requiring the attorney general to investigate such conveyances.";

And the substitute bill be passed.

Also, **HB 2070** be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2070," as follows:

"Senate Substitute for HOUSE BILL NO. 2070

By Committee on Judiciary

"AN ACT concerning children and minors; establishing the office of the child advocate as an independent state agency and prescribing certain powers, duties and functions therefor; authorizing access to certain records; relating to children in need of care; making orders granting custody for adoption subject to the federal Indian child welfare act; directing the secretary for children and families to consider foster parents as prospective adoptive parents under certain circumstances; requiring the secretary to report certain data on adoptions; authorizing the appeal of any order of placement of a child; providing for retroactivity; amending K.S.A. 38-2203, 38-2213, 38-2270, 38-2273, 38-2309 and 38-2310 and K.S.A. 2022 Supp. 38-2211 and 38-2212 and repealing the existing sections.";

And the substitute bill be passed.

HB 2127 be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2127," as follows:

"Senate Substitute for HOUSE BILL NO. 2127

By Committee on Judiciary

"AN ACT concerning childhood sexual abuse; permitting a prosecution for childhood sexual abuse to be commenced at any time; providing exceptions in the Kansas tort claims act for claims arising from childhood sexual abuse; extending the time to file civil actions for recovery of damages caused by childhood sexual abuse; amending K.S.A. 12-105b, 75-6104 and 75-6105 and K.S.A. 2022 Supp. 21-5107 and 60-523 and repealing the existing sections.";

And the substitute bill be passed.

HB 2021, As Amended by House Committee, be amended on page 1, by striking all in lines 11 through 25; on page 4, by striking all in lines 38 through 43;

By striking all on pages 5 through 15;

On page 16, by striking all in lines 1 through 35;

On page 17, in line 1, after the semicolon by inserting "and"; in line 2, by striking all after "(C)"; by striking all in lines 3 and 4; in line 5, by striking "(D)"; in line 9, after the second "centers" by inserting ", community health centers, the youth advocate program,

jobs for America's graduates Kansas transition services"; in line 41, before "The" by inserting "(1)";

On page 18, in line 2, after "fund" by inserting "after other expenditures for evidence-based programs are made"; following line 8, by inserting:

"(2) Child welfare case management providers shall not be eligible to receive grants under this subsection.";

Also on page 18, in line 19, by striking all after "38-2304"; in line 20, by striking all before "and";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after the semicolon; by striking all in lines 2 through 4 and inserting "requiring agencies to collaborate when providing services to juvenile offenders and children in need of care"; in line 5, by striking "authorizing"; by striking all in line 6; in line 7, by striking all before "amending"; also in line 7, by striking all after "38-2304"; in line 8, by striking all before the first "and"; and the bill be passed as amended.

HB 2172 be amended on page 1, in line 7, before "Section" by inserting "New"; in line 9, before "Sec." by inserting "New";

On page 4, in line 20, before "Sec." by inserting "New"; in line 37, before "Sec." by inserting "New";

On page 5, in line 4, before "Sec." by inserting "New"; in line 16, before "Sec." by inserting "New"; in line 21, before "Sec." by inserting "New";

On page 6, in line 26, before "Sec." by inserting "New"; in line 42, before "Sec." by inserting "New";

On page 7, in line 43, before "Sec." by inserting "New";

On page 8, in line 6, before "Sec." by inserting "New";

On page 9, in line 27, before "Sec." by inserting "New";

On page 10, in line 13, before "Sec." by inserting "New";

On page 11, in line 19, before "Sec." by inserting "New";

On page 12, in line 13, before "Sec." by inserting "New"; in line 38, before "Sec." by inserting "New";

On page 13, in line 14, before "Sec." by inserting "New"; in line 29, before "Sec." by inserting "New"; in line 39, before "Sec." by inserting "New";

On page 16, in line 25, before "Sec." by inserting "New"; in line 31, before "Sec." by inserting "New"; in line 35, before "Sec." by inserting "New";

On page 17, in line 5, before "Sec." by inserting "New"; in line 23, before "Sec." by inserting "New"; in line 26, before "Sec." by inserting "New"; in line 34, before "Sec." by inserting "New";

On page 18, in line 6, before "Sec." by inserting "New"; in line 10, before "Sec." by inserting "New"; in line 13, before "Sec." by inserting "New"; in line 19, before "Sec." by inserting "New"; following line 23, by inserting:

"Sec. 31. K.S.A. 2022 Supp. 58a-411 is hereby amended to read as follows: 58a-411. (a) A noncharitable irrevocable trust may be modified or terminated upon consent of the settlor and all qualified beneficiaries, even if the modification or termination is inconsistent with a material purpose of the trust. A settlor's power to consent to a trust's modification or termination may be exercised by an attorney in fact under a power of attorney only to the extent expressly authorized by the power of attorney or the terms of the trust; by the settlor's conservator with the approval of the court supervising the

conservatorship if an agent is not so authorized; or by the settlor's guardian with the approval of the court supervising the guardianship if an agent is not so authorized and a conservator has not been appointed. This subsection does not apply to irrevocable trusts created before, or to revocable trusts that became irrevocable before, January 1, 2003.

(b) A noncharitable irrevocable trust may be terminated upon consent of all of the qualified beneficiaries if the court concludes that continuance of the trust is not necessary to achieve any material purpose of the trust. A noncharitable irrevocable trust may be modified upon consent of all of the qualified beneficiaries if the court concludes that modification is not inconsistent with a material purpose of the trust.

(c) (1) A spendthrift provision in the terms of the trust is not presumed to constitute a material purpose of the trust.

(2) Application of the rule against perpetuities is not presumed to constitute a material purpose of the trust.

(d) Upon termination of a trust under subsection (a) or (b), the trustee shall distribute the trust property as agreed by the qualified beneficiaries.

(e) If not all of the qualified beneficiaries consent to a proposed modification or termination of the trust under subsection (a) or (b), the modification or termination may be approved by the court if the court is satisfied that:

(1) If all of the qualified beneficiaries had consented, the trust could have been modified or terminated under this section; and

(2) the interests of a qualified beneficiary who does not consent will be adequately protected.

Sec. 32. K.S.A. 59-3404 is hereby amended to read as follows: 59-3404. K.S.A. 59-3401, and amendments thereto, the statutory rule against perpetuities, does not apply to:

(1) A nonvested property interest or a power of appointment arising out of a nondonative transfer, except a nonvested property interest or a power of appointment arising out of a:

(i) ~~a~~ premarital or postmarital agreement;

(ii) ~~a~~ separation or divorce settlement;

(iii) ~~a~~ spouse's election;

(iv) ~~a~~ similar arrangement arising out of a prospective, existing or previous marital relationship between the parties;

(v) ~~a~~ contract to make or not to revoke a will or trust;

(vi) ~~a~~ contract to exercise or not to exercise a power of appointment;

(vii) ~~a~~ transfer in satisfaction of a duty of support; or

(viii) ~~a~~ reciprocal transfer;

(2) a fiduciary's power relating to the administration or management of assets, including the power of a fiduciary to sell, lease or mortgage property, and the power of a fiduciary to determine principal and income;

(3) a power to appoint a fiduciary;

(4) a discretionary power of a trustee to distribute principal before termination of a trust to a beneficiary having an indefeasibly vested interest in the income and principal;

(5) a nonvested property interest held by a charity, government or governmental agency or subdivision, if the nonvested property interest is preceded by an interest held by another charity, government or governmental agency or subdivision;

(6) a nonvested property interest in or a power of appointment with respect to a trust or other property arrangement forming part of a pension, profit-sharing, stock

bonus, health, disability, death benefit, income deferral or other current or deferred benefit plan for one or more employees, independent contractors or the beneficiaries or spouses, to which contributions are made for the purpose of distributing to or for the benefit of the participants or their beneficiaries or spouses the property, income or principal in the trust or other property arrangement, except a nonvested property interest or a power of appointment that is created by an election of a participant or a beneficiary or spouse; ~~or~~

(7) a property interest, power of appointment or arrangement that was not subject to the common-law rule against perpetuities or is excluded by another statute of this state; or

(8) a trust in which the governing instrument states that the rule against perpetuities does not apply to the trust and under which the trustee or other person to whom the power is properly granted or delegated has power under the governing instrument, any applicable statute or the common law to sell, lease or mortgage property for any period of time beyond the period which would otherwise be required for an interest created under the governing instrument to vest. This subsection shall apply to all trusts created by will or inter vivos agreement executed or amended on or after July 1, 2023, and to all trusts created by exercise of power of appointment granted under instruments executed or amended on or after July 1, 2023.

Sec. 33. K.S.A. 2022 Supp. 79-32,109 is hereby amended to read as follows: 79-32,109. As used in this act, unless the context otherwise requires:

(a) (1) Any term used in this act shall have the same meaning as when used in a comparable context in the federal internal revenue code. Any reference in this act to the "federal internal revenue code" shall mean the provisions of the federal internal revenue code of 1986, and amendments thereto, and other provisions of the laws of the United States relating to federal income taxes, as the same may be or become effective at any time, or from time to time, for the taxable year.

(2) Any reference in this act to a federal form or schedule, or to a line number on a federal form or schedule, shall be to such form, schedule and line number as they existed for tax year 2011 and as revised thereafter by the internal revenue service. Any such reference shall include comparable federal forms, schedules, and line numbers used by non-United States residents when filing their federal income tax return with the internal revenue service.

(b) "Resident individual" means a natural person who is domiciled in this state. A natural person who spends in the aggregate more than six months of the taxable year within this state shall be presumed to be a resident for purposes of this act in absence of proof to the contrary. A nonresident individual means an individual other than a resident individual.

(c) "Resident estate" means the estate of a deceased person whose domicile was in this state at the time of such person's death. "Nonresident estate" means an estate other than a resident estate.

(d) "Resident trust" means a trust that:

(1) Is administered in this state ~~and that~~;

(2) was created by or consists of property owned by a person domiciled in this state on the date the trust or portion of the trust became irrevocable; ~~and~~

(3) has at least one income beneficiary who, on the last day of the taxable year, was a resident of this state.

(e) (1) "Resident partner" means a partner who is a resident individual, a resident estate, or a resident trust.

(2) "Nonresident partner" means a partner other than a resident partner.

(f) (1) "Resident beneficiary" means a beneficiary of an estate or trust which beneficiary is a resident individual, a resident estate, or a resident trust.

(2) "Nonresident beneficiary" means a beneficiary other than a resident beneficiary.

(g) "Director" means the director of taxation.

(h) (1) "Modified Kansas source income" means that part of a nonresident individual's Kansas adjusted gross income as set forth in K.S.A. 79-32,117, and amendments thereto, derived from sources in Kansas. Items of income including unemployment compensation, gain, loss or deduction reflected in Kansas adjusted gross income shall be considered derived from sources in Kansas to the extent that they are attributable to:

(A) The ownership of any interest in real or tangible personal property in this state;

(B) a business, trade, profession or occupation carried on in this state;

(C) a business, trade, profession or occupation carried on partly within and partly without this state as determined by the uniform division of income for tax purposes act as set forth in K.S.A. 79-3271 through 79-3293, and amendments thereto;

(D) the distributive share of partnership income, gain, loss and deduction determined under this section as if the partnership were a nonresident individual;

(E) the share of estate or trust income, gain, loss and deduction determined under K.S.A. 79-32,137, and amendments thereto;

(F) prizes won from lottery games conducted by the Kansas lottery;

(G) any winnings from parimutuel wagering derived from the conduct of parimutuel activities within this state; or

(H) income from intangible personal property, including annuities, dividends, interest, and gains from the disposition of intangible personal property to the extent that such income is from property employed in a trade, business, profession or occupation carried on in Kansas. A nonresident, other than a dealer holding property primarily for sale to customers in the ordinary course of such dealer's trade or business, shall not be deemed to carry on a business, trade, profession or occupation in Kansas solely by reason of the purchase and sale of property for such nonresident's own account.

(2) "Modified Kansas source income" does not include:

(A) Compensation paid by the United States for service in the armed forces of the United States, performed during an induction period by an individual not domiciled in this state; or

(B) such individual's share of distributed or undistributed taxable income or net operating loss of a corporation which is an electing small business corporation unless an agreement is filed as provided in K.S.A. 79-32,139, and amendments thereto, in which event, the "modified Kansas source income" of such nonresident individual shall include such individual's share of such corporation's distributed and undistributed taxable income or net operating loss as such share is determined under the internal revenue code only to the extent, however, that such income, gain or loss is at the corporate level, derived from sources within Kansas.

Sec. 34. K.S.A. 59-3404 and K.S.A. 2022 Supp. 58a-411 and 79-32,109 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after "trust" by inserting "; authorizing modification of a noncharitable irrevocable trust to provide that the rule against perpetuities is inapplicable; providing that the Kansas uniform statutory rule against perpetuities is inapplicable to trusts under certain circumstances; modifying the definition of resident trust in the Kansas income tax act; amending K.S.A. 59-3404 and K.S.A. 2022 Supp. 58a-411 and 79-32,109 and repealing the existing sections"; and the bill be passed as amended.

HB 2216 be amended on page 3, in line 17, by striking "statute book" and inserting "Kansas register"; and the bill be passed as amended.

On motion of Senator Alley, the Senate adjourned until 10:00 a.m., Tuesday, March 28, 2023.

Journal of the Senate

FIFTY-THIRD DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, March 28, 2023, 10:00 a.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 40 senators present.
Invocation by Reverend Cecil T. Washington:

Unity In Diversity: 1 Corinthians 13:13

Heavenly Father, thank You for the accomplishments in these halls. Thank You for everyone employed in bringing these achievements to pass, those in decision-making positions and those in supporting staff positions. We ask for Your wisdom and guidance for each and for every person here and for every aspect of the work being done here.

Even when there's dissension, give those with opposing viewpoints the ability to see with clarity and compassion. And when the efforts to come together fall short, help people to express themselves in love, realizing that not one of us has all knowledge or is always right.

You said in 1 Corinthians 13:13, that love is the number one principle for real betterment. So, let all that occurs in these chambers be based on that principle. Let what occurs here be a coming together, a blending of efforts to bless Your people. And let us experience the miracle of unity in diversity.

In the Name of the Christ, I offer this prayer. Amen!

The Pledge of Allegiance was led by President Masterson.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 147, AN ACT concerning income taxation; relating to credits; increasing the tax credit amount for adoption expenses; increasing the tax credit amount for household and dependent care expenses; amending K.S.A. 79-32,111c and 79-32,202a and repealing the existing sections, was considered on final action.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

The Call was lifted.

SB 252, AN ACT concerning taxation; relating to property tax and sales tax exemptions; providing a property tax exemption for certain business property operated in competition with property owned or operated by a government entity; providing a sales tax exemption for certain businesses competing against governmental entities; amending K.S.A. 2022 Supp. 79-3606 and repealing the existing section, was considered on final action.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 24; Nays 16; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Erickson, Fagg, Faust-Goudeau, Gossage, Kloos, Masterson, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Doll, Francisco, Haley, Holland, Holscher, Kerschen, Longbine, McGinn, O'Shea, Pettey, Reddi, Shallenburger, Sykes, Ware.

The bill passed, as amended.

The Call was lifted.

EXPLANATION OF VOTE

I vote in opposition of **SB 252** to "providing property and sales tax exemption to certain business property operated in competition with property owned or operated by a government entity." The private sector and public sector appeal to different demographics and are not a threat to each other. These types of tax exemptions shift the tax burden to residential homeowners. Local elected officials work to keep property taxes low while trying to meet the needs of their community which includes the private and public sector. Revenue from property taxes fund our schools, police departments, fire departments and city and county services.—*USHA REDDI*

Senator Pettey requests the record to show she concurs with the "Explanation of Vote" offered by Senator Reddi on **SB 252**.

SB 265, AN ACT concerning crimes, punishment and criminal procedure; relating to restitution; requiring a person convicted of an offense that resulted in the incapacitation or death of a victim who is the parent or guardian of a minor child to pay restitution in the form of child support; relating to violation of a protective order; increasing criminal penalties for repeat violations; amending K.S.A. 2022 Supp. 21-5924 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

SB 271, AN ACT concerning trains; relating to branch and mainline length; providing for minimum distance for storage of rolling stock, was considered on final action.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 27; Nays 13; Present and Passing 0; Absent or Not Voting 0.

Yeas: Blasi, Bowers, Claey's, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Masterson, McGinn, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Ware.

Nays: Alley, Baumgardner, Billinger, Erickson, Fagg, Longbine, O'Shea, Olson, Peck, Thompson, Tyson, Warren, Wilborn.

The bill passed, as amended.

The Call was lifted.

SB 291, AN ACT concerning environmental, social and governance criteria involving public contracts and investments; enacting the Kansas public investments and contracts protection act; prohibiting the state or a political subdivision from giving preferential treatment to or discriminating against companies based on environmental, social and governance criteria in procuring or letting contracts; requiring fiduciaries of the Kansas public employees retirement system to act solely in the financial interest of participants and beneficiaries of the system; restricting state agencies from adopting environmental, social and governance criteria or requiring any person or business to operate in accordance with such criteria; directing the board of trustees of the Kansas public employees retirement system to divest from investments with foreign adversaries; providing for enforcement of such act by the attorney general; indemnifying the Kansas public employees retirement system with respect to actions taken in compliance with such act; amending K.S.A. 2022 Supp. 74-4921 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 29; Nays 11; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claey's, Dietrich, Erickson, Fagg, Gossage, Haley, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

The bill passed, as amended.

EXPLANATION OF VOTE

While the underlying bill originally had issues with limiting return on investment for our retirees, that has been fixed through our committee process. However, we added a provision that now allows the Attorney General, albeit with nominal rules and regs, to declare which nations are adversaries. Where we fixed a negative fiscal impact in the billions on the original bill, before allowing the attorney general to drive such restrictions on our extensive investments, we need to investigate, at a minimum, the fiscal impact of this potential change made on the floor. I vote "NO."—JEFF PITTMAN

Senators Francisco and Pettey request the record to show they concur with the "Explanation of Vote" offered by Senator Pittman on **SB 291**.

SB 300, AN ACT concerning privilege tax; relating to rates; decreasing the privilege tax rates on banks, trust companies and savings and loan associations by reducing the

normal tax rates; amending K.S.A. 79-1107 and 79-1108 and repealing the existing sections, was considered on final action.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 34; Nays 6; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Warren, Wilborn.

Nays: Francisco, Holland, Holscher, Pettey, Reddi, Ware.

The bill passed.

The Call was lifted.

SB 309, AN ACT concerning cities and counties; relating to reductions in local retailers' sales and compensating use tax revenues to cities, counties or a municipal university with the authority to impose a countywide retailers' sales tax; local extraordinary needs grants; creating the fixing instant revenue shock for taxpayers fund and local extraordinary needs fund; authorizing certain transfers to and payments from such funds; establishing the joint committee on local extraordinary needs grants; providing powers, duties and restrictions in reviewing and approving capital expenditure project grants by such joint committee; abolishing the local ad valorem tax reduction fund; amending K.S.A. 65-163j, 65-3306, 65-3327, 75-2556, 79-1479 and 79-2965 and K.S.A. 2022 Supp. 74-8768 and repealing the existing sections; also repealing K.S.A. 19-2694, 79-2960, 79-2961 and 79-2962 and K.S.A. 2022 Supp. 79-2959, was considered on final action.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 17; Nays 23; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Claeys, Erickson, Fagg, Gossage, Kloos, Masterson, Peck, Petersen, Shallenburger, Thompson, Tyson, Warren, Wilborn.

Nays: Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Kerschen, Longbine, McGinn, O'Shea, Olson, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Ware.

A constitutional majority having failed to vote in favor of the bill, **SB 309** did not pass.

The Call was lifted.

S Sub HB 2010, AN ACT concerning crimes, punishment and criminal procedure; relating to trials; updating a statutory cross reference related to persons found not guilty by reason of mental disease or defect; pertaining to housing, jury instructions and annual hearings on continued commitment; relating to criminal discharge of a firearm; increasing the penalty for violations when a person was present in the dwelling, building, structure or motor vehicle at which the offender discharged a firearm; enacting the reduce armed violence act; increasing criminal penalties for certain violations of criminal possession of a weapon by a convicted felon that involve firearms; relating to sentencing; allowing certain nondrug offenders to participate in a certified drug abuse treatment program; relating to postrelease supervision; providing that such term does not toll except as provided by law; amending K.S.A. 12-736 and K.S.A. 2022 Supp. 21-6308, 21-6804, 21-6824, 22-3428, 22-3428a and 22-3722 and repealing the existing

sections, was considered on final action.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 38; Nays 2; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Holscher, Steffen.

The substitute bill passed.

The Call was lifted.

HB 2019, AN ACT concerning transportation; relating to the Kansas transportation network company services act; establishing conditions for when a driver is an independent contractor for a transportation network company, was considered on final action.

On roll call, the vote was: Yeas 29; Nays 11; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

The bill passed, as amended.

HB 2039, AN ACT concerning wildlife and parks; relating to hunting and fishing licenses; exempting disabled veterans from certain requirements; amending K.S.A. 32-906, 32-919 and 32-988 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Steffen.

The bill passed, as amended.

HB 2059, AN ACT concerning alcoholic beverages; exempting charitable raffle prizes of alcoholic liquor and cereal malt beverages from the Kansas liquor control act, the club and drinking establishment act and the Kansas cereal malt beverage act; relating to spirits, wine and beer distributors; regulating samples; amending the common consumption area law to permit rather than require roads be blocked and allowing designation of such areas by signage; amending K.S.A. 41-104, 41-306, 41-306a, 41-307 and 41-2659 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 35; Nays 5; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Baumgardner, Peck, Pyle, Steffen, Tyson.

The bill passed, as amended.

HB 2080, AN ACT concerning virtual schools; relating to state assessments; authorizing students enrolled in virtual school to take virtual state assessments; amending K.S.A. 72-3711 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 34; Nays 5; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Holland, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Warren, Wilborn.

Nays: Francisco, Holscher, Steffen, Tyson, Ware.

Present and Passing: Pettey.

The bill passed.

HB 2082, AN ACT concerning counties; allowing counties to create a code inspection and enforcement fund and expanding the county equipment reserve fund to include electronic technology; allowing counties to create a municipalities fight addiction fund for the expenditure of opioid settlement monies received pursuant to the Kansas fights addiction act; amending K.S.A. 19-119 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 2; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Pyle, Steffen.

The bill passed.

Sub HB 2121, AN ACT concerning crimes, punishment and criminal procedure; relating to trials; speedy trial; extending the suspension and providing that time during the COVID-19 public health emergency shall not be assessed against the state; amending K.S.A. 2022 Supp. 22-3402 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 32; Nays 8; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Ryckman, Shallenburger, Steffen, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Blasi, Holland, Peck, Pittman, Pyle, Reddi, Straub, Tyson.

The bill passed.

HB 2125, AN ACT concerning health and healthcare; relating to the practice of cosmetology and barbering; powers, duties and functions of the Kansas state board of cosmetology; requiring certain administrative actions to be in accordance with the Kansas administrative procedure act and reviewable under the Kansas judicial review act; providing for charitable event permits and demonstration permits to provide tattooing, cosmetic tattooing or body piercing services; authorizing cease and desist orders against unlicensed providers of tattooing, cosmetic tattooing or body piercing services; {requiring tattoo artists, cosmetic tattoo artists and body piercers to keep case history cards for three years instead of five years; }exempting adult care homes from statutes governing cosmetology and barbering facilities; amending K.S.A. 65-1904a, 65-1941 {, 65-1946} and 74-1807 and repealing the existing {sections}, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 1; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Holscher.

Present and Passing: Steffen.

The bill passed, as amended.

HB 2173, AN ACT concerning political subdivisions of the state; relating to building codes or similar rules; providing that such provisions shall not prohibit refrigerants approved for use under federal law, was considered on final action.

On roll call, the vote was: Yeas 31; Nays 9; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Francisco, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

The bill passed, as amended.

HB 2196, AN ACT concerning retirement and pensions; relating to the Kansas deferred retirement option program act; expanding such program membership to all members of the Kansas police and firemen's retirement system; amending K.S.A. 2022 Supp. 74-4986l and 74-4986p and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

HB 2226, AN ACT concerning the state corporation commission; relating to the Kansas underground utility damage prevention act; extending the time period for notice for excavations; permitting virtual whitelining of excavation sites; amending K.S.A. 66-1804 and 66-1810 and K.S.A. 2022 Supp. 66-1802, 66-1805 and 66-1806 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

HB 2234, AN ACT relating to state construction or building improvement projects; increasing the cost threshold for the mandatory convening of a negotiating committee by the secretary of administration or agency head and the selection of architectural, engineering or land surveying services from a list of qualified firms; providing such cost threshold be increased annually based on the percentage increase in the consumer price index; changing the measure of the cost threshold from "total project cost" to "construction cost"; amending K.S.A. 75-1253 and 75-5804 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 36; Nays 4; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Pyle, Steffen, Straub, Tyson.

The bill passed, as amended.

HB 2236, AN ACT concerning education; relating to school districts; establishing parents' right to direct the education and upbringing of their children including the right to object to educational materials and activities that are not included in approved curriculum or standards or impair a parent's beliefs, values or principles, was considered on final action.

On roll call, the vote was: Yeas 23; Nays 17; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, O'Shea, Peck, Petersen, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Longbine, McGinn, Olson, Pettey, Pittman, Pyle, Reddi, Sykes, Ware.

The bill passed, as amended.

EXPLANATION OF VOTE

This "Parents' Bill of Rights" capitalizes on national figures' successful manipulation of parents' anxieties around learning and growing by suggesting that our public schools

– which are subject to strict oversight by the state – are hiding nefarious materials used to brainwash our children. Really, this legislation undermines our public school teachers and districts that teach and care for Kansas kids. These teachers are closest to our students and families, and they are already empowered to accommodate the needs of those students. Children deserve an honest and accurate education that enables them to learn from our past and help create a better future, and politically motivated legislators have no business stoking fears that will lead to further legislation undermining that goal.—DINAH SYKES

Senators Francisco, Pettey and Ware request the record to show they concur with the "Explanation of Vote" offered by Senator Sykes on **HB 2236**.

HB 2240, AN ACT concerning the department for children and families; relating to qualified residential treatment programs; requiring the clerk of the district court to give notice of placement; amending K.S.A. 38-2291 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

HB 2263, AN ACT concerning health professions and practices; relating to pharmacy; authorizing pharmacy technicians to administer certain vaccines; relating to physicians; creating a civil cause of action against a physician who performs childhood gender reassignment service; requiring revocation of a physician's license if such physician performs childhood gender reassignment service; amending K.S.A. 65-1635a and K.S.A. 2022 Supp. 65-2836 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 26; Nays 10; Present and Passing 4; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Francisco, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Present and Passing: Dietrich, Faust-Goudeau, Haley, McGinn.

The bill passed, as amended.

EXPLANATION OF VOTE

The attacks on the transgender community this session have been relentless. The majority party will stop at nothing to make sure that a population that already feels left behind and is told year after year that their state leaders don't want them to be a part of our community – they'll stop at nothing to tell these folks that they are not welcome here. In fact, they'll go so far as to tie the fate of objectively good public health policy to this hateful agenda. That's shameful. I vote "NO."—DINAH SYKES

Senators Francisco, Pettey and Ware request the record to show they concur with the "Explanation of Vote" offered by Senator Sykes on **HB 2263**.

HB 2269, AN ACT regarding cigarettes, electronic cigarettes and tobacco products; raising the minimum age for the sale, purchase or possession of such products to 21 years of age; amending K.S.A. 79-3304, 79-3309, 79-3321, 79-3322 and 79-3391 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 28; Nays 11; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Billinger, Blasi, Claeys, Corson, Dietrich, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, McGinn, O'Shea, Peck, Petersen, Pettey, Reddi, Ryckman, Steffen, Sykes, Thompson, Ware, Wilborn.

Nays: Baumgardner, Bowers, Doll, Erickson, Masterson, Olson, Pittman, Pyle, Shallenburger, Tyson, Warren.

Present and Passing: Straub.

The bill passed.

EXPLANATION OF VOTE

I understand the supporters' intent to improve healthcare outcomes in our state. However, we just passed a bill which would give presumptive prison sentences of 60 months for a 14 year old illegally discharging a firearm, we see people as young as 13 years old being tried as adults and getting life sentences, and we send 18 year old soldiers to fight our wars for us. We expect young people to be adults except on this issue where they apparently can't make their own decisions until they are 21. I vote "NO."—JEFF PITTMAN

Senators Doll and Bowers request the record to show they concur with the "Explanation of Vote" offered by Senator Pittman on **HB 2269**.

HB 2284, AN ACT concerning insurance; pertaining to the continuation of firefighter health insurance; adding fire districts to the definition of "municipality" for purposes of the payment of COBRA premiums under certain circumstances; amending K.S.A. 40-1709 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

HB 2288, AN ACT concerning the behavioral sciences; relating to professional counselors; enacting the counseling compact to provide interstate practice privileges; authorizing the behavioral sciences regulatory board to establish a fee for a home-state license with interstate practice privileges; amending K.S.A. 2022 Supp. 65-5808 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 36; Nays 4; Present and Passing 0; Absent or Not

Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Straub, Sykes, Ware, Warren, Wilborn.

Nays: Pyle, Steffen, Thompson, Tyson.

The bill passed.

HB 2292, AN ACT concerning economic development; enacting the Kansas apprenticeship act; establishing a tax credit {program} and grant incentive {programs} for apprenticeships {for Kansas businesses, nonprofit organizations, healthcare organizations and teacher apprentices for school districts}; creating the Kansas nonprofit apprenticeship grant program fund {and the Kansas educator registered apprenticeship grant program fund}, was considered on final action.

On roll call, the vote was: Yeas 30; Nays 7; Present and Passing 3; Absent or Not Voting 0.

Yeas: Alley, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Sykes, Ware, Wilborn.

Nays: Baumgardner, Peck, Shallenburger, Steffen, Straub, Thompson, Tyson.

Present and Passing: Erickson, Gossage, Warren.

The bill passed, as amended.

HB 2322, AN ACT concerning education; relating to exceptional children; revising the definition of "children with disabilities" to replace emotional disturbance with emotional disability and include dyslexia; amending K.S.A. 2022 Supp. 72-3404 and 75-5399 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

HB 2335, AN ACT concerning transportation; relating to the rail service improvement program; authorizing loans or grants for qualified track maintenance; providing a definition for qualified track maintenance; increasing the transfer amount from the state highway fund to the rail service improvement fund; amending K.S.A. 2022 Supp. 75-5048 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 2; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Steffen, Straub.

The bill passed, as amended.

HB 2375, AN ACT concerning the behavioral sciences; relating to social work; powers, duties and functions of the behavioral sciences regulatory board; establishing the temporary candidacy baccalaureate and master social work licenses; providing requirements and fees therefor; amending K.S.A. 65-6314 and K.S.A. 2022 Supp. 65-6306 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Pyle.

The bill passed, as amended.

MESSAGE FROM THE HOUSE

The House nonconcurrs in Senate amendments to **HB 2184**, requests a conference and has appointed Representatives Hoffman, Rhiley and Amyx as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2015**, requests a conference and has appointed Representatives Patton, Schreiber and Carmichael as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2065**, requests a conference and has appointed Representatives Patton, Schreiber and Carmichael as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2130**, requests a conference and has appointed Representatives Patton, Schreiber and Carmichael as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2131**, requests a conference and has appointed Representatives Patton, Schreiber and Carmichael as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2020**, requests a conference and has appointed Representatives Francis, Neelly and Ballard as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2089**, requests a conference and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2090**, requests a conference and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2093**, requests a conference and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2094**, requests a conference and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **S Sub HB 2344**, requests a conference and has appointed Representatives Landwehr, Eplee and Ruiz, S. as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2042**, requests a conference and has appointed Representatives Tarwater, Borjon and Probst as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2096**, requests a conference and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2097**, requests a conference and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2098**, requests a conference and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2100**, requests a conference and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2214**, requests a conference and has appointed Representatives Owens, Smith, E. and Highberger as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2285**, requests a conference and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2298**, requests a conference and has appointed Representatives Francis, Neelly and Ballard as conferees on the part of the House.

Announcing passage of **HB 2418, HB 2449, HB 2452**.

Announcing passage of **SB 3, SB 114, SB 120**.

Announcing passage of **SB 25**, as amended; **SB 17**, as amended; **SB 27**, as amended; **SB 44**, as amended; **SB 66**, as amended; **SB 75**, as amended; **SB 85**, as amended; **SB 115**, as amended; **SB 119**, as amended; **SB 123**, as amended; **Sub SB 131**, as amended; **SB 189**, as amended; **SB 205**, as amended; **SB 217**, as amended; **SB 228**, as amended; **SB 243**, as amended.

Announcing passage of **SB 116**, as amended by **H Sub SB 116**; **SB 244**, as amended by **H Sub SB 244**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2418, HB 2449, HB 2452 were thereupon introduced and read by title.

ORIGINAL MOTION

On motion of Senator Warren, the Senate acceded to the request of the House for a conference on **HB 2015**.

The President appointed Senators Warren, Wilborn and Corson as conferees on the part of the Senate.

On motion of Senator Petersen, the Senate acceded to the request of the House for a conference on **HB 2020**.

The President appointed Senators Petersen, Kloos and Corson as conferees on the part of the Senate.

On motion of Senator Erickson, the Senate acceded to the request of the House for a conference on **HB 2042**.

The President appointed Senators Erickson, Dietrich and Holland as conferees on the part of the Senate.

On motion of Senator Warren, the Senate acceded to the request of the House for a conference on **HB 2065**.

The President appointed Senators Warren, Wilborn and Corson as conferees on the part of the Senate.

On motion of Senator Longbine, the Senate acceded to the request of the House for a conference on **HB 2089**.

The President appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

On motion of Senator Longbine, the Senate acceded to the request of the House for a conference on **HB 2090**.

The President appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

On motion of Senator Longbine, the Senate acceded to the request of the House for a conference on **HB 2093**.

The President appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

On motion of Senator Longbine, the Senate acceded to the request of the House for a conference on **HB 2094**.

The President appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

On motion of Senator Longbine, the Senate acceded to the request of the House for a conference on **HB 2096**.

The President appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

On motion of Senator Longbine, the Senate acceded to the request of the House for a conference on **HB 2097**.

The President appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

On motion of Senator Longbine, the Senate acceded to the request of the House for a conference on **HB 2098**.

The President appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

On motion of Senator Longbine, the Senate acceded to the request of the House for a conference on **HB 2100**.

The President appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

On motion of Senator Warren, the Senate acceded to the request of the House for a conference on **HB 2130**.

The President appointed Senators Warren, Wilborn and Corson as conferees on the part of the Senate.

On motion of Senator Warren, the Senate acceded to the request of the House for a

conference on **HB 2131**.

The President appointed Senators Warren, Wilborn and Corson as conferees on the part of the Senate.

On motion of Senator Billinger, the Senate acceded to the request of the House for a conference on **HB 2184**.

The President appointed Senators Billinger, Claeys and Pettey as conferees on the part of the Senate.

On motion of Senator Warren, the Senate acceded to the request of the House for a conference on **HB 2214**.

The President appointed Senators Warren, Wilborn and Corson as conferees on the part of the Senate.

On motion of Senator Longbine, the Senate acceded to the request of the House for a conference on **HB 2285**.

The President appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

On motion of Senator Petersen, the Senate acceded to the request of the House for a conference on **HB 2298**.

The President appointed Senators Petersen, Dietrich and Corson as conferees on the part of the Senate.

On motion of Senator Erickson, the Senate acceded to the request of the House for a conference on **S Sub HB 2344**.

The President appointed Senators Erickson, Dietrich and Holland as conferees on the part of the Senate.

COMMITTEE OF THE WHOLE

On motion of Senator Alley, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Claeys in the chair.

SB 297, SB 314; HB 2114, HB 2304 be passed.

A motion by Senator Sykes to amend **HB 2304** failed and the following amendment was rejected; on page 1, in line 14, after "program" by inserting "and provide materials from the be smart program offered by the everytown for gun safety support fund"

A ruling of the chair was requested as to the germaneness of the amendment. The chair of the rules committee ruled the amendment was germane to the bill.

Upon the showing of five hands a roll call vote was requested on the amendment.

On roll call, the vote was: Yeas 11; Nays 28; Present and Passing 0; Absent or Not Voting 1.

Yeas: Corson, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Nays: Alley, Baumgardner, Billinger, Blasi, Claeys, Erickson, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: Longbine

SB 287; HB 2027, HB 2160, HB 2279, HB 2346 be amended by the adoption of the committee amendments, and the bills be passed as amended.

SB 301 be amended by the adoption of the committee amendments, be further amended by motion of Senator Francisco; on page 2, in line 25, after the period by inserting "An individual who is an elected officer of a township or school district shall file a statement of substantial interests between April 15 and April 30, inclusive, of any year if, during the preceding calendar year, any change occurred in such individual's substantial interests.";

On page 1, in the title, in line 5, after "requirements" by inserting "absent a change in substantial interests of such officers"

and **SB 301** be passed as further amended.

The committee report on **HB 2302** recommending **S Sub HB 2302** be adopted, and the substitute bill be passed.

The committee report on **HB 2390** recommending **S Sub HB 2390** be adopted.

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 21; Nays 13; Present and Passing 6; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, Olson, Peck, Petersen, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, O'Shea, Pettey, Pittman, Reddi, Sykes, Ware.

Present and Passing: Blasi, Bowers, Dietrich, McGinn, Pyle, Ryckman.

The committee report was adopted, and **S Sub HB 2390** be passed.

HB 2021 be passed over and retain a place on the calendar.

On motion of Senator Alley, the Senate recessed until the sound of the gavel.

AFTERNOON SESSION

The Senate met pursuant to recess with President Masterson in the chair.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator Longbine the Senate nonconcurred in the House amendments to **SB 17** and requested a conference committee be appointed.

The President appointed Senators Longbine, Fagg and Holscher as a conference committee on the part of the Senate.

On motion of Senator Longbine the Senate nonconcurred in the House amendments to **SB 27** and requested a conference committee be appointed.

The President appointed Senators Longbine, Fagg and Holscher as a conference committee on the part of the Senate.

On motion of Senator Longbine the Senate nonconcurred in the House amendments to **SB 44** and requested a conference committee be appointed.

The President appointed Senators Longbine, Fagg and Pittman as a conference committee on the part of the Senate.

On motion of Senator Baumgardner the Senate nonconcurred in the House amendments to **SB 66** and requested a conference committee be appointed.

The President appointed Senators Baumgardner, Erickson and Sykes as a conference committee on the part of the Senate.

On motion of Senator Warren the Senate nonconcurred in the House amendments to

SB 75 and requested a conference committee be appointed.

The President appointed Senators Warren, Wilborn and Corson as a conference committee on the part of the Senate.

On motion of Senator Longbine the Senate nonconcurrred in the House amendments to **SB 85** and requested a conference committee be appointed.

The President appointed Senators Longbine, Fagg and Holscher as a conference committee on the part of the Senate.

On motion of Senator Warren the Senate nonconcurrred in the House amendments to **SB 115** and requested a conference committee be appointed.

The President appointed Senators Warren, Wilborn and Corson as a conference committee on the part of the Senate.

On motion of Senator Longbine the Senate nonconcurrred in the House amendments to **SB 119** and requested a conference committee be appointed.

The President appointed Senators Longbine, Fagg and Holscher as a conference committee on the part of the Senate.

On motion of Senator Baumgardner the Senate nonconcurrred in the House amendments to **SB 123** and requested a conference committee be appointed.

The President appointed Senators Baumgardner, Erickson and Sykes as a conference committee on the part of the Senate.

On motion of Senator Gossage the Senate nonconcurrred in the House amendments to **Sub SB 131** and requested a conference committee be appointed.

The President appointed Senators Gossage, Erickson and Pettey as a conference committee on the part of the Senate.

On motion of Senator Warren the Senate nonconcurrred in the House amendments to **SB 189** and requested a conference committee be appointed.

The President appointed Senators Warren, Wilborn and Corson as a conference committee on the part of the Senate.

On motion of Senator Warren the Senate nonconcurrred in the House amendments to **SB 217** and requested a conference committee be appointed.

The President appointed Senators Warren, Wilborn and Corson as a conference committee on the part of the Senate.

On motion of Senator Warren the Senate nonconcurrred in the House amendments to **SB 228** and requested a conference committee be appointed.

The President appointed Senators Warren, Wilborn and Corson as a conference committee on the part of the Senate.

On motion of Senator Warren the Senate nonconcurrred in the House amendments to **SB 243** and requested a conference committee be appointed.

The President appointed Senators Warren, Wilborn and Corson as a conference committee on the part of the Senate.

COMMITTEE OF THE WHOLE

The Senate returned to Committee of the Whole for consideration of bills under the heading of General Orders with Senator Claeys in the Chair.

On motion of Senator Claeys, the report for the morning and the following afternoon session was adopted.

SB 307; HB 2087, HB 2225, HB 2290, HB 2395 be passed.

Senator Haley offered two amendments on **HB 2087**, both were rejected.

An amendment was offered by Senator Shallenburger to amend **HB 2225**. A ruling of the chair was requested as to the germaneness to the bill. The Chair of the Rules Committee ruled the amendment not germane.

A motion by Senator Tyson to amend **HB 2225** was offered. A ruling of the chair was requested as to the germaneness to the bill. The Chair of the Rules Committee ruled the amendment germane. The following amendment was rejected; on page 1, following line 14, by inserting:

"New Section 1. (a) On and after July 1, 2023, the commission shall not approve an application for or issue any new financing order pursuant to K.S.A. 66-1,241, and amendments thereto, to authorize an electric public utility to use securitized utility tariff bonds to finance securitized utility tariff costs or charges pursuant to the utility finance and securitization act.

(b) This section shall be a part of and supplemental to the utility finance and securitization act.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after the second semicolon by inserting "prohibiting the state corporation commission from approving the issuance of any new securitized utility tariff bonds;"

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 9; Nays 22; Present and Passing 3; Absent or Not Voting 6.

Yeas: Baumgardner, Claeys, Erickson, Peck, Shallenburger, Steffen, Straub, Thompson, Tyson.

Nays: Billinger, Bowers, Corson, Dietrich, Fagg, Faust-Goudeau, Francisco, Haley, Holland, Kerschen, Kloos, Longbine, McGinn, Olson, Petersen, Pettey, Pittman, Reddi, Ryckman, Sykes, Ware, Wilborn.

Present and Passing: Gossage, Pyle, Warren.

Absent or Not Voting: Alley, Blasi, Doll, Holscher, Masterson, O'Shea.

SB 315; HB 2141, HB 2147, HB 2313, HB 2325, HB 2326, HB 2350 be amended by the adoption of the committee amendments, and the bills be passed as amended.

SB 40 be amended by motion of Senator Tyson; on page 11, following line 5, by inserting:

"Sec. 2. K.S.A. 2022 Supp. 79-4508a is hereby amended to read as follows: 79-4508a. (a) For tax year 2022, and all tax years thereafter, the amount of any claim pursuant to this section shall be computed by deducting the claimant's base year ad valorem tax amount for the homestead from the claimant's homestead ad valorem tax amount for the tax year for which the refund is sought.

(b) As used in this section:

(1) "Base year" means the year in which an individual becomes an eligible claimant and who is also eligible for a claim for refund pursuant to this section. For any individual who would otherwise be an eligible claimant prior to 2021, such base year shall be deemed to be 2021 for the purposes of this act.

(2) "Claimant" means a person who has filed a claim under the provisions of this act and was, during the entire calendar year preceding the year in which such claim was filed for refund under this act, except as provided in K.S.A. 79-4503, and amendments thereto, both domiciled in this state and was: (A) A person who is 65 years of age or older; or (B) a disabled veteran. The surviving spouse of a person 65 years of age or

older or a disabled veteran who was receiving benefits pursuant to this section at the time of the claimant's death shall be eligible to continue to receive benefits until such time the surviving spouse remarries.

(3) "Household income" means all income as defined in K.S.A. 79-4502(a), and amendments thereto, excluding all payments received under the federal social security act received by persons of a household in a calendar year while members of such household.

(c) A claimant shall only be eligible for a claim for refund under this section if:

(1) The claimant's household income for the year in which the claim is filed is ~~\$50,000~~ \$75,000 or less; and

(2) the appraised value of the claimant's homestead for the base year is ~~\$350,000~~ \$595,000 or less.

The provisions of K.S.A. 79-4522, and amendments thereto, shall not apply to a claim pursuant to this section. In the case of all tax years commencing after December 31, 2022, the upper limit household income threshold amount prescribed in this subsection shall be increased by an amount equal to such 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. In the case of all base years commencing after December 31, 2021, the upper limit appraised value threshold amount prescribed in this subsection shall be increased each year to reflect the average percentage change in statewide residential valuation of existing residential real property for the preceding 10 years.

(d) A taxpayer shall not be eligible for a homestead property tax refund claim pursuant to this section if such taxpayer has received for such property for such tax year either: (1) A homestead property tax refund pursuant to K.S.A. 79-4508, and amendments thereto; or (2) the selective assistance for effective senior relief (SAFESR) credit pursuant to K.S.A. 79-32,263, and amendments thereto.

(e) The amount of any claim shall be computed to the nearest \$1.

(f) The household income and appraised value amendments made to this section by this act shall apply retroactively, and the deadline to file claims for tax year 2022 shall be extended to on or before April 15, 2024.

(g) The provisions of this section shall be a part of and supplemental to the homestead property tax refund act.;

Also on page 11, in line 6, by striking "is" and inserting "and 79-4508a are";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "relating to homestead refund claims; excluding social security payments from household income for eligibility of seniors and disabled veterans related to increased property tax claims; increasing the appraised value and household income thresholds for eligibility;"; in line 4, after "79-32,117" by inserting "and 79-4508a"; also in line 4, by striking "section" and inserting "sections"

and the **SB 40** be passed as amended.

The committee report on **HB 2016** recommending **S Sub HB 2016** be adopted, be amended by motion of Senator Baumgardner; on page 1, in line 9, after "abusive" by inserting "website"; in line 27, after "access" by inserting "to websites";

On page 2, in line 3, after the first "any" by inserting "website"; in line 4, after "any" by inserting "website"; in line 7, by striking "an" and inserting "a website"; in line 9,

after the second "any" by inserting "website"; in line 12, by striking "an" and inserting "a website"; in line 30, by striking "an" and inserting "a website"; in line 31, after "alleged" by inserting "website"; in line 34, after "alleged" by inserting "website"; in line 35, after "alleged" by inserting "website"; in line 36, by striking "an" and inserting "a website"; in line 42, by striking "an" and inserting "a website"; in line 43, by striking "an" and inserting "a website";

On page 3, in line 10, by striking "an" and inserting "a website"; in line 14, by striking "an" and inserting "a website";

On page 1, in the title, in line 2, after "abusive" by inserting "website"; in line 3, after "any" by inserting "website"

S Sub HB 2016 be further amended by motion of Senator Corson; on page 1, in line 22, after "system" by inserting "against smaller Kansas businesses"; in line 35, after the period, by inserting "The lack of standards issued by the federal department of justice concerning website accessibility under title III of the federal Americans with disabilities act has resulted in the need for this process.";

On page 2, in line 22, after "(C)", by inserting "the resources available to the defendant to correct the alleged website access violation;

(D)";

Also on page 2, in line 29, after the semicolon by inserting "and"; in line 30, by striking all in lines 30 through 37; following line 40, by inserting:

"(3) Except as provided further, if the defendant in the litigation that alleges a website access violation in good faith attempts to cure the alleged violation within 30 days after being provided written notice or being served a petition or complaint with sufficient detail to identify and correct the alleged violation, there shall be a rebuttable presumption that the subsequent initiation or continuance of litigation that alleges a website access violation constitutes abusive litigation. There shall not be a rebuttable presumption that such litigation is abusive litigation if the alleged website access violation is not corrected, as determined by the court, within 90 days after being provided written notice or being served a petition or complaint with sufficient detail to identify and correct the alleged violation. The trier of fact shall not determine whether such litigation is abusive litigation until after such 90-day period expires or the alleged violation is corrected, as determined by the court, whichever occurs first.";

On page 3, in line 4, by striking "shall" and inserting "may"; following line 28, by inserting:

"(g) If the federal department of justice issues standards concerning website accessibility under title III of the federal Americans with disabilities act, the attorney general shall certify to the secretary of state that such standards have been issued. Upon receipt of such certification, the secretary of state shall cause a notice of such certification to be published in the Kansas register. The provisions of this section shall expire on the date such certification is published in the Kansas register.";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly

and **S Sub HB 2016** be passed as amended.

The committee report on **HB 2053** recommending **S Sub HB 2053** be adopted, and the substitute bill be passed.

A motion by Senator Tyson to amend **S Sub HB 2053** failed.

The committee report on **HB 2070** recommending **S Sub HB 2070** be adopted, and

the substitute bill be passed.

The committee report on **HB 2138** recommending **S Sub HB 2138** be adopted, and the substitute bill be passed.

A motion by Senator Sykes to amend **S Sub HB 2138** failed.

The committee report on **HB 2170** recommending **S Sub HB 2170** be adopted, and the substitute bill be passed.

SB 50 be amended by the adoption of the committee amendments.

Senator Ryckman moved **SB 50** be referred to the Committee on Judiciary. The motion carried.

SB 60, SB 295; HB 2106 be passed over and retain a place on the calendar.

REPORTS OF STANDING COMMITTEES

Committee on **Federal and State Affairs** recommends **HB 2086**, As Amended by House Committee of the Whole, be amended on page 1, in line 17, by striking all after "New Section 1."; by striking all in lines 18 through 21; in line 22, by striking "(b)"; in line 31, before "No" by inserting "(a) Except as provided in subsection (b).";

On page 2, following line 2, by inserting:

"(b) Each county election officer shall create a backup copy of the hard drive of any electronic or electromechanical voting system, optical scanning equipment or any other voting system that contains a hard drive component. Such backup copies shall be created immediately prior to and immediately after any system updates, repairs or improvements and prior to and after each general election. The county election officer shall maintain such backup copies in a secured location for not less than 22 months.";

On page 4, in line 13, by striking "130,000" and inserting "100,000"; in line 27, before "Within" by inserting "Such election commissioner shall have been a qualified elector or resident of the county at least two years prior to appointment."; in line 31, by striking all after the period; by striking all in lines 32 and 33; in line 40, by striking "130,000" and inserting "100,000";

On page 13, by striking all in lines 32 through 43;

On page 14, by striking all in lines 1 through 22;

On page 25, in line 21, by striking "four" and inserting "two";

On page 33, by striking all in lines 17 through 35;

On page 39, by striking all in lines 8 through 43;

On page 40, by striking all in lines 1 through 18;

On page 47, in line 14, by striking all after the period; by striking all in lines 15 and 16; in line 17, by striking all before "Each";

On page 53, in line 31, after "state" by inserting ", after consultation on such complaint with the attorney general,";

On page 54, in line 31, by striking "25-305,"; in line 34, by striking "25-2703,"; in line 35, by striking "25-3005a,"; in line 37, by striking all after the second comma;

And by renumbering sections accordingly;

On page 1, in the title, in line 5, by striking "25-305,"; in line 8, by striking "25-2703,"; in line 9, by striking "25-3005a,"; in line 13, by striking the fourth comma and inserting "and"; also in line 13, by striking all after "25-2601"; in line 14, by striking all before the period; and the bill be passed as amended.

Committee on **Ways and Means** recommends **Substitute for HB 2077**, As Amended by House Committee of the Whole, be amended on page 1, in line 19, by striking "12"

and inserting "48"; in line 36, by striking "12" and inserting "48";

On page 3, in line 14, by striking "12" and inserting "48"; and the bill be passed as amended.

On motion of Senator Alley, the Senate adjourned until 10:00 a.m., Wednesday, March 29, 2023.

Journal of the Senate

FIFTY-FOURTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, March 29, 2023, 10:00 a.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 40 senators present.
Invocation by Cecil T. Washington:

Death and Life; Both Are In The Tongue
Proverbs 18:21, Ephesians 4:29, 2 Timothy 3:12-13, James 3:1-12

Lord, Your Word tells us, in Proverbs 18:21, that “death and life are in the power of the tongue.” You tell us in Ephesians 4:29, not to let any unwholesome talk come out of our mouths but only what is helpful for improving and strengthening others. You emphasize that our concern should be for the well-being, for the benefit of those who hear or even read our words. But Lord, it looks like our mouths did not get the message. And what You predicted would happen, is coming to pass.

You said in 2 Timothy 3:12-13 that all who desire to live godly lives would be persecuted and those moral, life-giving qualities in people would deteriorate. Lord, the things that come out of our mouths today, not only in private but in public media, are just like You said, going from bad to worse!

You illustrate the power of the tongue in James 3:1-12, where You liken it to a bit controlling a horse or a rudder turning a ship or a spark igniting a blaze. As we formulate our words today, tomorrow and on into the future, it will take You to control, to put a bridle, a check on our tongues. When we interact with others, rather than being poisonous, destructive and deadly let the things that we communicate up in here be life-giving. Let our interactions be healthy and life-giving. Bless us as we move to bless others.

In the Name of Jesus, I pray Amen!

The Pledge of Allegiance was led by President Masterson.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Ways and Means: **HB 2418, HB 2449, HB 2452.**

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Erickson introduced the following Senate resolution, which was read:
SENATE RESOLUTION No. 1719—

A RESOLUTION commemorating May 2023 as Jewish American Heritage Month and honoring the contributions of the Jewish people to the United States of America and the State of Kansas.

WHEREAS, Ever since Jewish immigrants first arrived to our shores in the 16th century, the Jewish people have played a central role in the creation, growth, freedom, prosperity and strength of the United States; and

WHEREAS, The biblical and contemporary history of the Jewish people and the enduring values of the Jewish faith were vital sources of inspiration for the founding of the United States, the Civil Rights movement, the United States' global leadership in the cause of freedom, the United States' commitment to social justice and many of the United States' most central tenets; and

WHEREAS, The Jewish community has helped define the character and values of the United States through core Jewish beliefs, such as the creation of man in the image of God, the infinite value of every human life, the need for a weekly Sabbath and the importance of education in the lives of children; and

WHEREAS, Following the rebirth of Zionism and the miraculous return of the Jewish people to the Jewish homeland, the United States was the first country in the world to recognize the State of Israel in 1948; and

WHEREAS, The State of Israel is now celebrating the 75th anniversary of its modern founding; and

WHEREAS, Since 1948, the State of Israel has emerged as a beacon of freedom, prosperity and world leader in technology, agriculture, water conservation and medicine; and

WHEREAS, The United States has developed a deep friendship and unbreakable alliance with the State of Israel based upon shared values and mutual interests; and

WHEREAS, Since the Jewish people first settled in Kansas after the Kansas territory was established in 1854, the Jewish people have played an integral role in Kansas history; and

WHEREAS, The Jewish people serve in the United States Armed Forces and the Kansas National Guard; and

WHEREAS, Kansas unequivocally engages in trade and other relations with the State of Israel; and

WHEREAS, For 42 years, every United States President has declared a period of time to celebrate the Jewish people's contributions to the United States and the Jewish community's history, heritage and culture; and

WHEREAS, In February 2006, the United States Congress adopted a concurrent resolution, with bipartisan support, urging the President of the United States to issue a Jewish American Heritage Month Proclamation every May; and

WHEREAS, Since 2006, the President of the United States has declared the month of May as Jewish American Heritage Month: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we commemorate May 2023 as Jewish American Heritage Month and honor the contributions of Jewish Americans to the United States of America and the State of Kansas; and

Be it further resolved: That we urge all schools in Kansas to commemorate Jewish American Heritage Month through appropriate announcements and programming; and

Be it further resolved: That we further urge all Kansas museums and historical

societies to host relevant programs commemorating Jewish American Heritage Month; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Senator Erickson.

On emergency motion of Senator Erickson **SR 1719** was adopted by voice vote.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SB 40, AN ACT concerning income taxation; relating to Kansas adjusted gross income; providing a subtraction modification to permit the carryforward of certain net operating losses for individuals; relating to homestead refund claims; excluding social security payments from household income for eligibility of seniors and disabled veterans related to increased property tax claims; increasing the appraised value and household income thresholds for eligibility; amending K.S.A. 2022 Supp. 79-32,117 and 79-4508a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

SB 287, AN ACT concerning the Kansas silver alert plan; expanding such plan to include persons 18 years of age or older who have dementia, a developmental disability or a cognitive impairment; amending K.S.A. 75-754 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

SB 297, AN ACT concerning abortion; revising the definition of abortion; excluding certain procedures from the definition; amending K.S.A. 40-2,190, 65-4a01, 65-6701, 65-6723 and 65-6742 and repealing the existing sections, was considered on final action.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 29; Nays 11; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

The bill passed.
The Call was lifted

EXPLANATION OF VOTE

Last August, nearly 60% of Kansans - Democrats, Republicans, and Independents - voted no on giving “elected state representatives and state senators” more power to “pass laws regarding abortion.” Yet here we are again, politicians inserting ourselves in the healthcare of others by deciding when we think a D and C counts as an abortion and when it doesn’t; by deciding when a woman can be trusted to make decisions for herself and when she can’t; by crafting definitions for future court cases, future amendments, future attempts to take away fundamental rights. In August, voters upheld the status quo, because they know that abortion is personal. It can be complex. It doesn’t fit neatly into right or wrong, because life’s circumstances can’t be neatly qualified as right or wrong. They said loudly and clearly: stop messing with this right. We trust our neighbors to make the decisions that make sense for their morals, for their faiths, for their families. Just yesterday, Attorney General Kris Kobach’s office argued in front of the Kansas Supreme Court and suggested that another constitutional amendment on abortion is possible. Kansans should listen to Kris Kobach and the legislators in this chamber who are making clear that they want to control these private decisions, no matter what the voters say.—DINAH SYKES

SB 301, AN ACT concerning governmental ethics; relating to statements of substantial interests; requiring annual filing of such statements by local governmental officers and employees; exempting elected or appointed officers of townships or school districts from such annual filing requirements absent a change in substantial interests of such officers; amending K.S.A. 46-252 and 75-4302a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O’Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

SB 307, AN ACT concerning the Kansas fights addiction act; relating to definitions; adding for-profit private entities to the definition of “qualified applicant”; amending K.S.A. 2022 Supp. 75-776 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O’Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

SB 314, AN ACT concerning public health; relating to immunizations; prohibiting the secretary of health and environment from requiring a COVID-19 vaccination to attend at a child care facility or school; amending K.S.A. 65-508 and 72-6262 and repealing the existing sections, was considered on final action.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 24; Nays 16; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Blasi, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Billinger, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Longbine, McGinn, Pettey, Pittman, Reddi, Sykes, Ware.

The bill passed.

The Call was lifted.

SB 315, AN ACT concerning public health; relating to vaccinations; requirements to attend child care facilities and elementary, secondary and public or private postsecondary educational institutions; prohibiting an inquiry into the sincerity of a request for an exemption from vaccine requirements; repealing the meningitis vaccine requirement to live in student housing; amending K.S.A. 65-508 and 72-6262 and K.S.A. 2022 Supp. 44-663 and repealing the existing sections; also repealing K.S.A. 76-761a, was considered on final action.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 22; Nays 18; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, Olson, Peck, Petersen, Pyle, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Blasi, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Longbine, McGinn, O'Shea, Pettey, Pittman, Reddi, Ryckman, Sykes, Ware.

The bill passed, as amended.

The Call was lifted

EXPLANATION OF VOTE

"One person's freedom ends where another's begins." I have fought hard to protect life since my election to the Kansas Senate. **SB 315** is an attack on those efforts to protect the innocent. Vaccines, particularly for children, are essential to protect them from ravaging fever, blistering sores, paralysis and death. Childhood vaccinations work like a boat, all of our children are in it together or we negligently put them out in a craft that's taking on water. Efforts by some in the Kansas Senate this year would remove the protection for our children and drill holes in the very vessel keeping them safe. I opposed efforts by those who would wipe out innocent life through abortion and I stand opposed to those who would allow innocent children to suffer and possibly die when life saving vaccines that have been safely used for decades remain available. Real conservative Republicans stand up to protect children and protect life at all times.—
KRISTEN O'SHEA

Senator Haley requests the record to show he concur with the "Explanation of Vote" offered by Senator O'Shea on **SB 315**.

I vote "YES" on **SB 315** because it follows science as it regards vaccines and the reality that they each involve a risk benefit analysis. Also, the Constitution guarantees freedom of the individual, particularly as it pertains to religion. **SB 315** codifies our religious freedom.—MARK STEFFEN

There is over a century of case law at all levels of the judicial system demonstrating that governmental vaccine mandates are constitutional. In *Prince v. Massachusetts*, the Supreme Court held that "the right to practice religion freely does not include liberty to expose the community or the child to communicable disease or the latter to ill health or death." Our current state policies are much more flexible than what is constitutionally permissible. We allow families the latitude to have sincerely-held religious exemptions, and it is KDHE's practice not to inquire into the sincerity of the request. But blanket exemptions undermine the efficacy of public health interventions that rely on herd immunity. This policy also insults my faith. Being religious and having a belief does not make such a belief a religious one, and we shouldn't legislate otherwise just because it's politically expedient.—PAT PETTEY

Senator Francisco requests the record to show she concurs with the "Explanation of Vote" offered by Senator Pettey on **SB 315**.

S Sub HB 2016, AN ACT concerning civil actions and civil procedure; enacting the act against abusive access litigation; creating a civil action for determining whether litigation that alleges any access violation under the Americans with disabilities act or similar law constitutes abusive litigation and authorizing penalties for such abusive litigation, was considered on final action.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 35; Nays 5; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Doll, Holscher, Reddi, Sykes, Ware.

The substitute bill passed, as amended.

The Call was lifted.

HB 2027, AN ACT concerning the Kansas probate code; relating to probate procedures; persons arrested or charged with felonious killing of the decedent; creating a procedure to prevent distribution of assets until resolution of criminal proceedings; amending K.S.A. 59-513 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

S Sub HB 2053, AN ACT concerning elections; providing for a presidential preference primary election; establishing voter registration and voting procedures for such election; amending K.S.A. 25-1122, 25-2311, 25-4501a, 25-4502, 25-4503, 25-4505, 25-4506 and 25-4507 and K.S.A. 2022 Supp. 25-3009 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 28; Nays 12; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Blasi, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Sykes, Thompson, Ware, Warren.

Nays: Billinger, Bowers, Doll, McGinn, O'Shea, Olson, Peck, Pyle, Steffen, Straub, Tyson, Wilborn.

The substitute bill passed.

S Sub HB 2070, AN ACT concerning children and minors; establishing the office of the child advocate as an independent state agency and prescribing certain powers, duties and functions therefor; authorizing access to certain records; relating to children in need of care; making orders granting custody for adoption subject to the federal Indian child welfare act; directing the secretary for children and families to consider foster parents as prospective adoptive parents under certain circumstances; requiring the secretary to report certain data on adoptions; authorizing the appeal of any order of placement of a child; providing for retroactivity; amending K.S.A. 38-2203, 38-2213, 38-2270, 38-2273, 38-2309 and 38-2310 and K.S.A. 2022 Supp. 38-2211 and 38-2212 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The substitute bill passed.

HB 2087, AN ACT concerning elections; relating to selection of presidential electors; directing political parties to have procedures for the selection of presidential electors; amending K.S.A. 25-301, 25-801, 25-802, 25-804 and 25-1435 and repealing the existing sections; also repealing K.S.A. 25-803, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Doll.

The bill passed.

HB 2114, AN ACT concerning the joint committee on corrections and juvenile justice oversight; renaming the committee in honor of Representative J. Russell (Russ) Jennings; requiring the committee to monitor the implementation of juvenile justice reform and the work of the juvenile justice oversight committee; amending K.S.A. 46-2801, 65-536 and 74-9101 and repealing the existing sections; also repealing K.S.A. 46-2802, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

S Sub HB 2138, AN ACT concerning education; relating to school districts; requiring separate overnight accommodations for students of each biological sex during school district sponsored travel; providing for administrative review of resolutions to permanently close a school building; amending K.S.A. 72-1431 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 29; Nays 11; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Reddi, Sykes, Ware.

The substitute bill passed.

EXPLANATION OF VOTE

Instead of allowing Kansas school districts to identify and implement the policies that are best for their students and communities, this bill forces districts to adopt outdated and rigid policies that will make activities extremely burdensome to plan, from a district perspective, and much harder to access for families. It also takes an issue that can be – and currently is – solved at the level closest to the student to a level that inherently cannot include nuance and grace that our kids deserve. Not only that, but the individuals pushing for this legislation have demonstrated an obvious ambivalence to understanding trans Kansans and their families. It is mind-boggling the number of bills we've seen this session that deeply impact wide swaths of our communities, all for the purpose of targeting a small population of Kansans who want nothing more than to live their lives. It's gross, it's exhausting, and it's wrong. I vote "NO."—DINAH SYKES

HB 2141, AN ACT concerning food assistance; requiring cooperation with child support to determine food assistance eligibility for custodial and non-custodial parents; identifying when the secretary for children and families shall review cooperation with child support; disqualifying such parents from food assistance when delinquent in child support payments; adding disqualification exemptions; amending K.S.A. 2022 Supp.

39-709 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 20; Nays 20; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Blasi, Claeys, Erickson, Fagg, Gossage, Kerschen, Masterson, O'Shea, Olson, Peck, Pyle, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Billinger, Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Kloos, Longbine, McGinn, Petersen, Pettey, Pittman, Reddi, Shallenburger, Sykes, Ware.

A constitutional majority having failed to vote in favor of the bill, **HB 2141** did not pass.

EXPLANATION OF VOTE

This bill would make it less likely that parents can support their children and more likely that children and their parents go hungry. Reducing access to food for Kansans already struggling financially is unnecessarily harsh and ineffective. Non-custodial parents working hard to find higher-paying employment opportunities will have those efforts undermined if they do not know where their family's next meal is coming from or cannot focus at their jobs. Mr. President, I vote "NO" on **HB 2141**.—OLETHA FAUST-GOUDEAU

Senators Francisco, Haley, Holland, Pettey, Reddi and Ware request the record to show they concur with the "Explanation of Vote" offered by Senator Faust-Goudeau on **SB 2141**.

My colleague from Sedgwick County said it best: Find another way to get people to pay child support – don't starve them. This bill holds access to food hostage in order to force people into parenting the way legislators in this building think they ought to, regardless of the impact on the children involved. And that impact is significant. 1 in 7 Kansas kids is food insecure. Some of those kids live with parents who are also non-custodial parents of other children. This bill will harm those children, and will disturb families' existing support systems that they have determined are in their children's best interests. Keeping Kansans hungry will not lead to behaviors deemed acceptable by some in this chamber. It'll just lead to more hungry Kansans. I vote "NO."—DINAH SYKES

Senators Francisco, Haley, Pettey, Reddi and Ware request the record to show they concur with the "Explanation of Vote" offered by Senator Sykes on **HB 2141**.

HB 2147, AN ACT concerning motor vehicles; relating to abandoned or towed vehicles; requiring a person providing wrecker or towing service or agency to provide a certification of compliance to a purchaser upon the sale and transfer of an abandoned or towed vehicle; amending K.S.A. 8-1102 and 8-1103 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey,

Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

HB 2160, AN ACT concerning traffic regulations; relating to the secured loading of vehicles; exempting the transport of cotton bales from the secured load requirements under certain conditions; amending K.S.A. 8-1906 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

S Sub HB 2170, AN ACT concerning philanthropic gifts; relating to judicial enforcement of donor-imposed restrictions on gifts of endowment funds or to endowment funds; enacting the donor intent protection act, was considered on final action.

On roll call, the vote was: Yeas 31; Nays 8; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Kerschen, Kloos, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Ware, Warren.

Nays: Billinger, Holland, Holscher, Longbine, McGinn, Reddi, Tyson, Wilborn.

Present and Passing: Francisco.

The substitute bill passed.

HB 2225, AN ACT concerning utilities; relating to electric utilities; including cost recovery of transmission-related costs for transmission facilities constructed as a result of a directive from the regional transmission organization; authorizing cost recovery for transmission facilities constructed as a result of internal or local planning under certain circumstances; requiring the commission to adjust the authorized return on equity for such internal or local transmission projects recovered through a transmission delivery charge; requiring public utilities to evaluate the regional rate competitiveness and impact to economic development in rate proceedings; amending K.S.A. 66-117 and 66-1237 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 37; Nays 2; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Doll, Peck.

Present and Passing: Blasi.

The bill passed.

HB 2279, AN ACT concerning water; relating to groundwater management districts; requiring groundwater management districts to submit annual reports to the legislature; directing groundwater management districts to submit conservation and stabilization plans to the chief engineer; prohibiting groundwater management district board members from farming land owned by the district unless a request for proposal for farming such land is issued, was considered on final action.

On roll call, the vote was: Yeas 35; Nays 5; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Baumgardner, Holland, Steffen, Straub, Tyson.

The bill passed, as amended.

HB 2290, AN ACT concerning higher education; authorizing the affiliation of northwest Kansas technical college and north central Kansas technical college with Fort Hays state university; amending K.S.A. 74-32,452, 74-32,461, 74-32,464 and 76-6a13 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 0; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Present and Passing: Straub

The bill passed.

S Sub HB 2302, AN ACT concerning water; relating to funding for the state water plan and water infrastructure projects; making and concerning appropriations for the fiscal year ending June 30, 2023, and June 30, 2024, for the state treasurer; providing for a transfer of moneys from the state general fund to the state water plan fund; creating the water technical assistance fund and water projects grant fund; authorizing the Kansas water office to provide grants from such funds and adopt rules and regulations to establish the criteria for grants from such funds; amending K.S.A. 82a-951 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Holland.

The substitute bill passed.

HB 2304, AN ACT concerning education; relating to firearms; standardizing firearm safety education training programs in school districts, was considered on final action.

On roll call, the vote was: Yeas 31; Nays 8; Present and Passing 1; Absent or Not

Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Haley, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Francisco, Holland, Holscher, Pettey, Reddi, Sykes, Ware.

Present and Passing: Faust-Goudeau.

The bill passed.

EXPLANATION OF VOTE

I vote "NO" on **HB 2304**. The American Academy of Pediatrics has done studies about the effectiveness of gun safety programs, including Eddie Eagle by the NRA and found the programs to be ineffective. The website eddieeagle.com repeats who the characters are in the video, the song is heard over and over, there are coloring pages with the characters from the video and a few short stories with scenarios with those bird characters finding a gun. I hope that an educational curriculum development committee will create activities that are age appropriate, involve role play, and have higher level thinking activities for each grade level and will also include generalization of information and behaviors learned rather than rote memorization of what the cartoon birds sing in a park where a gun is found. The legislature should not be making decisions about school curriculum. The legislature should be adopting legislation with requirements for secure storage to make gun ownership safer.—MARCI FRANCISCO

Senators Pettey and Ware request the record to show they concur with the "Explanation of Vote" offered by Senator Francisco on **HB 2304**.

HB 2313, AN ACT concerning health and healthcare; creating the born-alive infants protection act; providing legal protections for infants born alive; requiring certain standards of care by healthcare providers for infants who are born alive; providing criminal penalties and civil liability for violations of the act; amending K.S.A. 65-445 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 31; Nays 9; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Haley, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Holland, Holscher, Pettey, Reddi, Sykes, Ware.

The bill passed, as amended.

HB 2325, AN ACT concerning insurance; relating to the healthcare provider insurance availability act; adding maternity center to the definition of "healthcare provider" contained therein; designating certain healthcare providers as being ineligible to purchase professional liability insurance from the healthcare stabilization fund; requiring such healthcare providers to maintain continuous professional liability coverage equivalent to that provided by the healthcare stabilization fund as a condition of licensure; amending K.S.A. 40-3401 and 40-3403a and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 33; Nays 6; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Holscher, Kerschen, Kloos, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Dietrich, Doll, Holland, Longbine, McGinn, Reddi.

Present and Passing: Francisco.

The bill passed, as amended.

HB 2326, AN ACT concerning consumer protection; relating to the scrap metal theft reduction act; clarifying that catalytic converters are regulated scrap metal; providing that certain purchases of catalytic converters and by-products or dust are unlawful under the act; extending the expiration date of the act; amending K.S.A. 2022 Supp. 50-6,109, 50-6,111 and 50-6,112d and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Tyson.

The bill passed, as amended.

HB 2346, AN ACT concerning motor vehicles; relating to license plates; providing for the back the blue license plate and the city of Topeka distinctive license plate; allowing distinctive license plates to be personalized license plates; requiring certain license plates to have the county of registration for the motor vehicle identified on the plate; amending K.S.A. 8-1,141 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

HB 2350, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against persons; creating the crimes of human smuggling and aggravated human smuggling; providing criminal penalties therefor, was considered on final action.

On roll call, the vote was: Yeas 38; Nays 1; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Warren,

Wilborn.

Nays: Ware.

Present and Passing: Francisco.

The bill passed, as amended.

S Sub HB 2390, AN ACT concerning the secretary of health and environment; relating to drug overdoses; requiring the secretary of health and environment to study overdose deaths; providing for the confidentiality of acquired and compiled records; restricting the powers of the secretary of health and environment and local health officers to control the introduction and spread of infectious or contagious diseases; repealing the authority of the secretary to order individuals to isolate or quarantine and impose penalties for violations thereof; amending K.S.A. 65-116g, 65-118, 65-119, 65-128, 65-129b and 65-129d and K.S.A. 2022 Supp. 65-101, 65-202 and 72-5180 and repealing the existing sections; also repealing K.S.A. 65-126, 65-127, 65-129 and 65-129c, was considered on final action.

On roll call, the vote was: Yeas 24; Nays 16; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Claeys, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Bowers, Corson, Dietrich, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Longbine, McGinn, O'Shea, Pettey, Pittman, Reddi, Sykes, Ware.

The substitute bill passed.

EXPLANATION OF VOTE

While I support portions of **S Sub HB 2390** – I have worries about the bill due to questions from our agricultural community and Ag Secretary. While KDA is the lead on tracking and taking actions against the spread of the disease in animals, it is the state health department which tracks and acts if there is any infection in humans among the ranchers, growers, and staff. If this bill passes, KDHE would no longer be able to track or take action to prevent highly infectious zoonotic diseases such as avian bird flu and hoof and mouth disease if they spread to humans or from humans back to livestock. The contents added to **S Sub HB 2390** (language of **SB 6**) would still inhibit the KDHE's ability to collaborate with the Kansas Department of Agriculture to act against infectious diseases.—ELAINE BOWERS

S Sub HB 2390 passed the House of Representatives with 121 votes because there was bi-partisan support to decrease the number of Kansas lives lost to fentanyl. Unfortunately, the Senate committee opted to utilize this critical, unanimously supported bill as a vehicle for an unrelated, controversial topic, compromising the lives of Kansans in the process. Rather than looking to the pandemic of the past, we need to focus our collective attention on the plague affecting our future and support efforts to reduce the impact of counterfeit drugs laced with fentanyl poisoning our people. **S Sub HB 2390**, as passed unanimously by the House, is good policy. Because it has been paired with policy that is likely to encumber its advancement. I vote "NO."—KRISTEN O'SHEA

Senators Francisco, Haley, Pettey and Pittman request the record to show they concur with the "Explanation of Vote" offered by Senator O'Shea on **S Sub HB 2390**.

HB 2395, AN ACT concerning the open records act; relating to public records; continuing in existence certain exceptions to the disclosure thereof; amending K.S.A. 9-512, 40-4308, 40-4350, 45-229, 65-177, 65-28b08, 74-5611a, 75-7240 and 75-7242 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed.

MESSAGE FROM THE HOUSE

Announcing rejection of **SB 194**.

The House nonconcur in Senate amendments to **HB 2014**, requests a conference and has appointed Representatives Francis, Neely and Ballard as conferees on the part of the House.

Announcing passage of **HB 2438**, **HB 2401**, **HB 2443**, **HB 2446**; **Sub HB 2414**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2438, **HB 2401**, **HB 2443**, **HB 2446**; **Sub HB 2414** were thereupon introduced and read by title.

On motion of Senator Alley, the Senate recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate met pursuant to recess with Vice President Wilborn in the chair.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

Senator Bowers moved the Senate concur in House amendments to **H Sub SB 208**.

H Sub SB 208, AN ACT concerning campaign finance; relating to the governmental ethics commission; modifying the investigatory and enforcement powers thereof and the schedule of registration fees for political committees; expanding the list of allowable expenditures from contributions; amending K.S.A. 25-4143, 25-4145, 25-4153a, 25-4157a, 25-4158, 25-4161, 25-4163, 25-4165, 25-4181 and 25-4182 and repealing the existing sections.

Senator Pyle made a substitute motion to nonconcur and appoint a conference.

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 10; Nays 30; Present and Passing 0; Absent or Not Voting 0.

Yeas: Baumgardner, Francisco, Haley, Holland, Holscher, Pittman, Pyle, Steffen, Straub, Ware.

Nays: Alley, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Reddi, Ryckman, Shallenburger, Sykes, Thompson,

Tyson, Warren, Wilborn.

The substitute motion failed.

On roll call, the vote was: Yeas 27; Nays 12; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Ryckman, Shallenburger, Sykes, Thompson, Warren, Wilborn.

Nays: Baumgardner, Haley, Holland, Holscher, Peck, Pittman, Pyle, Reddi, Steffen, Straub, Tyson, Ware.

Present and Passing: Francisco.

The Senate concurred.

COMMITTEE OF THE WHOLE

On motion of Senator Alley, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Erickson in the chair.

On motion of Senator Erickson the following report was adopted:

HB 2083 be amended by motion of Senator McGinn , on page 1, in line 26, after the second "property" by inserting ", except that if a municipality requires registration of vacant property, a municipality may charge a fine in an amount not to exceed:

(A) \$100 as a penalty for failure to register a building as vacant property within 60 days after receiving written notice from the municipality that such building must be registered; and

(B) \$300 as a penalty for failure to register a building as vacant property if such building is not registered as vacant property within 30 days after receipt of written notice of failure to register, which notice shall be mailed by certified mail"

Senator Francisco motioned to amend **HB 2083**.

Senator Olson moved a substitute motion on **HB 2083** be rereferred to the Committee on Local Government. The motion carried.

SCR 1610 be amended by motion of Senator Tyson; on page 1, in line 35, by striking "or"; on page 2, in line 3, after "3%" by inserting "; or

(6) title to the property is transferred, changed or conveyed to another person"; On page 3, in line 35, by striking the second "or" and inserting a comma; in line 36, after "changes" by inserting "or title to the property is transferred, changed or conveyed to another person"; in line 42, by striking the second "or" and inserting a comma; in line 43, after "changes" by inserting "or title to the property is transferred, changed or conveyed to another person"

and the resolution be adopted as amended.

SB 112; HB 2021, HB 2024, HB 2172, HB 2216, HB 2264, HB 2323, HB 2336 be amended by the adoption of the committee amendments, and the bills be passed as amended.

HB 2002 be amended by the adoption of the committee amendments, be further amended by motion of Senator Tyson; on page 5, following line 15, by inserting:

"Sec. 4. K.S.A. 2022 Supp. 79-2005 is hereby amended to read as follows: 79-2005. (a) Any taxpayer, before protesting the payment of such taxpayer's taxes, shall be required, either at the time of paying such taxes, or, if the whole or part of the taxes are paid prior to December 20, no later than December 20, or, with respect to taxes paid in

whole or in part in an amount equal to at least $\frac{1}{2}$ of such taxes on or before December 20 by an escrow or tax service agent, no later than January 31 of the next year, to file a written statement with the county treasurer, on forms approved by the state board of tax appeals and provided by the county treasurer, clearly stating the grounds on which the whole or any part of such taxes are protested and citing any law, statute or facts on which such taxpayer relies in protesting the whole or any part of such taxes. When the grounds of such protest is an assessment of taxes made pursuant to K.S.A. 79-332a and 79-1427a, and amendments thereto, the county treasurer may not distribute the taxes paid under protest until such time as the appeal is final. When the grounds of such protest is that the valuation or assessment of the property upon which the taxes are levied is illegal or void, the county treasurer shall forward a copy of the written statement of protest to the county appraiser who shall within 15 days of the receipt thereof, schedule an informal meeting with the taxpayer or such taxpayer's agent or attorney with reference to the property in question. At the informal meeting, it shall be the duty of the county appraiser or the county appraiser's designee to initiate production of evidence to substantiate the valuation of such property, including a summary of the reasons that the valuation of the property has been increased over the preceding year, any assumptions used by the county appraiser to determine the value of the property and a description of the individual property characteristics, property specific valuation records and conclusions. The taxpayer shall be provided with the opportunity to review the data sheets applicable to the valuation approach utilized for the subject property. The county appraiser shall take into account any evidence provided by the taxpayer which relates to the amount of deferred maintenance and depreciation of the property. The county appraiser shall review the appraisal of the taxpayer's property with the taxpayer or such taxpayer's agent or attorney and may change the valuation of the taxpayer's property, if in the county appraiser's opinion a change in the valuation of the taxpayer's property is required to assure that the taxpayer's property is valued according to law, and shall, within 15 business days thereof, notify the taxpayer in the event the valuation of the taxpayer's property is changed, in writing of the results of the meeting. The county appraiser shall not increase the appraised valuation of the property as a result of the informal meeting. In the event the valuation of the taxpayer's property is changed and such change requires a refund of taxes and interest thereon, the county treasurer shall process the refund in the manner provided by subsection (1).

~~(b) No protest appealing the valuation or assessment of property shall be filed pertaining to any year's valuation or assessment when an appeal of such valuation or assessment was commenced pursuant to K.S.A. 79-1448, and amendments thereto, nor shall~~The second half payment of taxes shall not be protested when the first half payment of taxes has been protested. Notwithstanding the foregoing, this provision shall not prevent any subsequent owner from protesting taxes levied for the year in which such property was acquired, nor shall it prevent any taxpayer from protesting taxes when the valuation or assessment of such taxpayer's property has been changed pursuant to an order of the director of property valuation.

(c) A protest shall not be necessary to protect the right to a refund of taxes in the event a refund is required because the final resolution of an appeal commenced pursuant to K.S.A. 79-1448, and amendments thereto, occurs after the final date prescribed for the protest of taxes.

(d) If the grounds of such protest shall be that the valuation or assessment of the

property upon which the taxes so protested are levied is illegal or void, such statement shall further state the exact amount of valuation or assessment which the taxpayer admits to be valid and the exact portion of such taxes which is being protested.

(e) If the grounds of such protest shall be that any tax levy, or any part thereof, is illegal, such statement shall further state the exact portion of such tax which is being protested.

(f) Upon the filing of a written statement of protest, the grounds of which shall be that any tax levied, or any part thereof, is illegal, the county treasurer shall mail a copy of such written statement of protest to the state board of tax appeals and the governing body of the taxing district making the levy being protested.

(g) Within 30 days after notification of the results of the informal meeting with the county appraiser pursuant to subsection (a), the protesting taxpayer may, if aggrieved by the results of the informal meeting with the county appraiser, appeal such results to the state board of tax appeals.

(h) After examination of the copy of the written statement of protest and a copy of the written notification of the results of the informal meeting with the county appraiser in cases where the grounds of such protest is that the valuation or assessment of the property upon which the taxes are levied is illegal or void, the board shall conduct a hearing in accordance with the provisions of the Kansas administrative procedure act, unless waived by the interested parties in writing. If the grounds of such protest is that the valuation or assessment of the property is illegal or void the board shall notify the county appraiser thereof.

(i) In the event of a hearing, the same shall be originally set not later than 90 days after the filing of the copy of the written statement of protest and a copy, when applicable, of the written notification of the results of the informal meeting with the county appraiser with the board. With regard to any matter properly submitted to the board relating to the determination of valuation of residential property or real property used for commercial and industrial purposes for taxation purposes, it shall be the duty of the county appraiser to initiate the production of evidence to demonstrate, by a preponderance of the evidence, the validity and correctness of such determination except that no such duty shall accrue to the county or district appraiser with regard to leased commercial and industrial property unless the property owner has furnished to the county or district appraiser a complete income and expense statement for the property for the three years next preceding the year of appeal. No presumption shall exist in favor of the county appraiser with respect to the validity and correctness of such determination. In all instances where the board sets a request for hearing and requires the representation of the county by its attorney or counselor at such hearing, the county shall be represented by its county attorney or counselor. The board shall take into account any evidence provided by the taxpayer which relates to the amount of deferred maintenance and depreciation for the property. In any appeal from the reclassification of property that was classified as land devoted to agricultural use for the preceding year, the taxpayer's classification of the property as land devoted to agricultural use shall be presumed to be valid and correct if the taxpayer provides an executed lease agreement or other documentation demonstrating a commitment to use the property for agricultural use, if no other actual use is evident. With regard to any matter properly submitted to the board relating to the determination of valuation of property for taxation purposes, the board shall not increase the appraised valuation of the property to an amount greater

than the appraised value reflected in the notification of the results of the informal meeting with the county appraiser from which the taxpayer appealed.

(j) When a determination is made as to the merits of the tax protest, the board shall render and serve its order thereon. The county treasurer shall notify all affected taxing districts of the amount by which tax revenues will be reduced as a result of a refund.

(k) If a protesting taxpayer fails to file a copy of the written statement of protest and a copy, when applicable, of the written notification of the results of the informal meeting with the county appraiser with the board within the time limit prescribed, such protest shall become null and void and of no effect whatsoever.

(l) (1) In the event the board orders that a refund be made pursuant to this section or the provisions of K.S.A. 79-1609, and amendments thereto, or a court of competent jurisdiction orders that a refund be made, and no appeal is taken from such order, or in the event a change in valuation which results in a refund pursuant to subsection (a), the county treasurer shall, as soon thereafter as reasonably practicable, refund to the taxpayer such protested taxes and, with respect to protests or appeals commenced after the effective date of this act, interest computed at the rate prescribed by K.S.A. 79-2968, and amendments thereto, minus two percentage points, per annum from the date of payment of such taxes from tax moneys collected but not distributed. Upon making such refund, the county treasurer shall charge the fund or funds having received such protested taxes, except that, with respect to that portion of any such refund attributable to interest the county treasurer shall charge the county general fund. In the event that the state board of tax appeals or a court of competent jurisdiction finds that any time delay in making its decision is unreasonable and is attributable to the taxpayer, it may order that no interest or only a portion thereof be added to such refund of taxes.

(2) No interest shall be allowed pursuant to paragraph (1) in any case where the tax paid under protest was inclusive of delinquent taxes.

(m) Whenever, by reason of the refund of taxes previously received or the reduction of taxes levied but not received as a result of decreases in assessed valuation, it will be impossible to pay for imperative functions for the current budget year, the governing body of the taxing district affected may issue no-fund warrants in the amount necessary. Such warrants shall conform to the requirements prescribed by K.S.A. 79-2940, and amendments thereto, except they shall not bear the notation required by such section and may be issued without the approval of the state board of tax appeals. The governing body of such taxing district shall make a tax levy at the time fixed for the certification of tax levies to the county clerk next following the issuance of such warrants sufficient to pay such warrants and the interest thereon. All such tax levies shall be in addition to all other levies authorized by law.

(n) Whenever a taxpayer appeals to the board of tax appeals pursuant to the provisions of K.S.A. 79-1609, and amendments thereto, or pays taxes under protest related to one property whereby the assessed valuation of such property exceeds 5% of the total county assessed valuation of all property located within such county and the taxpayer receives a refund of such taxes paid under protest or a refund made pursuant to the provisions of K.S.A. 79-1609, and amendments thereto, the county treasurer or the governing body of any taxing subdivision within a county may request the pooled money investment board to make a loan to such county or taxing subdivision as provided in this section. The pooled money investment board is authorized and directed to loan to such county or taxing subdivision sufficient funds to enable the county or

taxing subdivision to refund such taxes to the taxpayer. 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 such loan. Each loan shall bear interest at a rate equal to the net earnings rate of the pooled money investment portfolio at the time of the making of such loan. The total aggregate amount of loans under this program shall not exceed \$50,000,000 of unencumbered funds pursuant to article 42 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto. 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 county treasurer or governing body of the amount of each loan authorized pursuant to this subsection, the pooled money investment board shall transfer each such amount certified by the county treasurer or governing body from the state bank account or accounts prescribed in this subsection to the county treasurer who shall deposit such amount in the county treasury. Any such loan authorized pursuant to this subsection shall be repaid within four years. The county or taxing subdivision shall make not more than four equal annual tax levies at the time fixed for the certification of tax levies to the county clerk following the making of such loan sufficient to pay such loan within the time period required under such loan. All such tax levies shall be in addition to all other levies authorized by law.

(o) The county treasurer shall disburse to the proper funds all portions of taxes paid under protest and shall maintain a record of all portions of such taxes which are so protested and shall notify the governing body of the taxing district levying such taxes thereof and the director of accounts and reports if any tax protested was levied by the state.

(p) This statute shall not apply to the valuation and assessment of property assessed by the director of property valuation and it shall not be necessary for any owner of state assessed property, who has an appeal pending before the state board of tax appeals, to protest the payment of taxes under this statute solely for the purpose of protecting the right to a refund of taxes paid under protest should that owner be successful in that appeal.";

On page 11, in line 3, after the comma by inserting "79-2005,";

And by renumbering sections accordingly;

On page 1, in the title, in line 9, after the semicolon by inserting "discontinuing the prohibition of paying taxes under protest after a valuation notice appeal;"; in line 11, after the comma by inserting "79-2005,"

and **HB 2002** be passed as further amended.

A motion by Senator Faust-Goudeau to amend **HB 2216** was withdrawn.

A motion by Senator Peck to amend **HB 2336** failed.

The committee report on **HB 2060** recommending **S Sub HB 2060** be adopted, and the substitute bill be passed.

The committee report on **HB 2127** recommending **S Sub HB 2127** be adopted, and the substitute bill be passed.

SB 23, SB 303; S Sub HB 2069 be passed over and retain a place on the calendar.

President Masterson assumed the chair.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Alley an emergency was declared by a 2/3 constitutional majority **SCR 1610; SB 112; HB 2002, HB 2021, HB 2024; S Sub HB 2060, S Sub HB 2127; HB 2172, HB 2216, HB 2264, HB 2323, HB 2336** and were advanced to Final Action and roll call.

SCR 1610, A PROPOSITION to amend section 1 of article 11 of the constitution of the state of Kansas; relating to property taxation; limiting valuation increases for real property.

On roll call, the vote was: Yeas 26; Nays 14; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Erickson, Gossage, Haley, Kerschen, Kloos, Masterson, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Holland, Holscher, Longbine, McGinn, Pettey, Reddi, Sykes, Ware.

The resolution was not adopted.

SB 112, AN ACT concerning health professions and practices; relating to the regulation of nursing; registered nurse anesthetists; authorizing independent practice and the prescribing of drugs; prohibiting the performance or prescribing of drugs for an abortion; amending K.S.A. 65-1158 and repealing the existing section.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 33; Nays 6; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Holland, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Ware, Warren.

Nays: Dietrich, Francisco, Holscher, Thompson, Tyson, Wilborn.

Present and Passing: Steffen.

The bill passed, as amended.

The Call was lifted.

HB 2002, AN ACT concerning property taxation; relating to the revenue neutral rate; extending reimbursement from the taxpayer notification costs fund for printing and postage costs for county clerks for calendar year 2024; modifying and prescribing the contents of the revenue neutral rate public hearing notice; relating to valuation and appeals; providing two prior years' values on the annual valuation notice; allowing for filing of an appraisal by a certified residential real property appraiser for appeal purposes; {discontinuing the prohibition of paying taxes under protest after a valuation notice appeal;} accounting for adverse influences in the valuation of agricultural land; amending K.S.A. 79-1496 and K.S.A. 2022 Supp. 79-1460, {79-2005, }79-2988 and 79-2989 and repealing the existing sections.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 34; Nays 6; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Reddi, Ryckman,

Shallenburger, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Holscher, Pettey, Pittman, Steffen, Sykes, Ware.

The bill passed, as amended.

The Call was lifted.

HB 2021, AN ACT concerning children and minors; requiring agencies to collaborate when providing services to juvenile offenders and children in need of care; increasing use of evidence-based programs account money; amending K.S.A. 38-2203, 38-2304 and 75-52,164 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The bill passed, as amended.

HB 2024, AN ACT concerning children and minors; relating to the newborn infant protection act; allowing the surrender of physical custody of an infant to a newborn safety device; requiring inquiries and reporting of Indian child status; adding the requirement of great bodily harm to the crime of child abandonment to qualify for immunity; amending K.S.A. 38-2203 and 38-2282 and K.S.A. 2022 Supp. 21-5605 and repealing the existing sections.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 35; Nays 5; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Thompson, Ware, Warren, Wilborn.

Nays: Francisco, Holland, Steffen, Sykes, Tyson.

The bill passed, as amended.

The Call was lifted.

S Sub HB 2060, AN ACT concerning education; relating to postsecondary educational institutions; authorizing payments from the state safety fund to community colleges for the provision of driver's education; authorizing the provision of tools, supplies and examinations for participants in an AO-K career pathway program; including high school equivalency credentials in performance-based payments for postsecondary educational institutions; amending K.S.A. 8-272 and 74-32,434 and K.S.A. 2022 Supp. 74-32,267 and repealing the existing sections.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 35; Nays 5; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Tyson, Ware, Warren, Wilborn.

Nays: Francisco, Holland, Shallenburger, Sykes, Thompson.

The substitute bill passed.
The Call was lifted.

EXPLANATION OF VOTE

Two of the policies included in this bill did not go through the committee process, did not receive hearings, and did not receive input from the public. We should respect the committee process. I vote “NO.”—DINAH SYKES

S Sub HB 2127, AN ACT concerning childhood sexual abuse; permitting a prosecution for childhood sexual abuse to be commenced at any time; providing exceptions in the Kansas tort claims act for claims arising from childhood sexual abuse; extending the time to file civil actions for recovery of damages caused by childhood sexual abuse; amending K.S.A. 12-105b, 75-6104 and 75-6105 and K.S.A. 2022 Supp. 21-5107 and 60-523 and repealing the existing sections.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kersch, Kloos, Longbine, Masterson, McGinn, O’Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The substitute bill passed.

EXPLANATION OF VOTE

I would like to thank the Senate for supporting **S Sub HB 2127**. We made a big difference today in the lives of many children that are now adults. This is a meaningful and very important legislation. It’s not easy to talk about a horrific, terrifying, and heinous crime of sex abuse, but those difficult conversations led us to working on the statute of limitations. The bipartisan support for the bill shows unity. **S Sub HB 2127** gives some solace to victims/survivors who want to seek accountability and an option forward they did not have before. I appreciate Senate President Masterson, Senator Holscher, survivors and legislators work on this issue. I feel emotional and privileged to be part of a moment that I thought would never happen. Thank you for seeing and hearing survivors and holding predators accountable.—USHA REDDI

Senator Ware requests the record to show she concurs with the "Explanation of Vote" offered by Senator Reddi on **S Sub HB 2127**.

HB 2172, AN ACT concerning trusts; enacting the uniform trust decanting act; relating to the power of an authorized fiduciary to distribute property of a first trust to one or more second trusts or to modify the terms of the first trust; authorizing modification of a noncharitable irrevocable trust to provide that the rule against perpetuities is inapplicable; providing that the Kansas uniform statutory rule against perpetuities is inapplicable to trusts under certain circumstances; modifying the definition of resident trust in the Kansas income tax act; amending K.S.A. 59-3404 and K.S.A. 2022 Supp. 58a-411 and 79-32,109 and repealing the existing sections.

On roll call, the vote was: Yeas 36; Nays 4; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Sykes, Tyson, Ware, Warren, Wilborn.

Nays: Pyle, Steffen, Straub, Thompson.

The bill passed, as amended.

HB 2216, AN ACT concerning motor vehicles; relating to driving with a license that is canceled, suspended or revoked; removing the mandatory imprisonment term for a first offense in certain circumstances; amending K.S.A. 8-262 and repealing the existing section.

On roll call, the vote was: Yeas 34; Nays 6; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Sykes, Ware, Warren, Wilborn.

Nays: Pyle, Shallenburger, Steffen, Straub, Thompson, Tyson.

The bill passed, as amended.

HB 2264, AN ACT concerning health and healthcare; enacting the no patient left alone act; relating to hospitals, adult care homes and hospice facilities; requiring such facilities to allow in-person visitation in certain circumstances; requiring such facilities to adopt visitation policies and procedures; establishing a patient's bill of rights.

On roll call, the vote was: Yeas 31; Nays 9; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Haley, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Holland, Holscher, Pettey, Pittman, Reddi, Sykes.

The bill passed, as amended.

EXPLANATION OF VOTE

I vote "YES" on **HB 2264** in honor of all the Kansas citizens who needlessly died alone during the COVID response.—MARK STEFFEN

HB 2323, AN ACT concerning fire districts; relating to fire districts located in Johnson county; providing for the detachment and transfer of property thereof annexed by a city; amending K.S.A. 2022 Supp. 19-3623f and repealing the existing section.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 38; Nays 2; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Shallenburger, Straub.

The bill passed, as amended.

The Call was lifted.

HB 2336, AN ACT concerning the surplus property and public airport authority act; relating to bonding authority; providing for increased bonding authority up to \$10,000,000; permitting bonding authority of more than \$10,000,000 or in excess of the 1.85% statutory limitation based on assessed value of property within the county upon approval by the board of county commissioners; amending K.S.A. 27-334 and repealing the existing section.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 30; Nays 10; Present and Passing 0; Absent or Not Voting 0.

Yeas: Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Reddi, Ryckman, Sykes, Ware, Wilborn.

Nays: Alley, Baumgardner, Peck, Pyle, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren.

The bill passed, as amended.

The Call was lifted.

MESSAGE FROM THE HOUSE

Announcing passage of **SB 49**.

Announcing passage of **SB 8**, as amended; **SB 174**, as amended; **SB 180**, as amended; **SB 209**, as amended; **SB 221**, as amended.

Announcing passage of **SB 42**, as amended by **H Sub SB 42**; **SB 73**, as amended by **H Sub SB 73**; **SB 169**, as amended by **H Sub SB 169**.

Announcing adoption of **SCR 1603**, as amended.

Announcing passage of **HB 2232**, **HB 2412**, **HB 2439**, **HB 2465**.

Announcing adoption of **HCR 5015**.

Announcing adoption of **HCR 5013**.

Announcing passage of **SB 144**.

Announcing passage of **SB 132**, as amended.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2232, **HB 2412**, **HB 2439**, **HB 2465**; **HCR 5013** were thereupon introduced and read by title.

HCR 5015, A CONCURRENT RESOLUTION relating to the adjournment of the House of Representatives for a period of time during the 2023 regular session of the legislature, was introduced and read by title.

On emergency motion of Senator Alley, **HCR 5015** was adopted by voice vote.

CHANGE OF CONFERENCE

The President appointed Senator Kloos to replace Senator Dietrich as a member of the conference committee on **HB 2298**.

On motion of Senator Alley, the Senate adjourned pro forma until 9:00 a.m., Thursday, March 30, 2023.

Journal of the Senate

FIFTY-FIFTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, March 30, 2023, 9:00 a.m.

The Senate was called to order pro forma by President Ty Masterson.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **HB 2232, HB 2465.**

Commerce: **HB 2401; Sub HB2414; HB 2446.**

Federal and State Affairs: **HB 2412, HB 2438, HB 2439.**

Judiciary: **HB 2443.**

Committee of the Whole: **HCR 5013**

MESSAGE FROM THE HOUSE

The House accedes to the request of the Senate for a conference on **SB 17** and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 27** and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 85** and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 119** and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 44** and has appointed Representatives Hoheisel, Clifford and Xu as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 66** and has appointed Representatives Thomas, Estes and Stogsdill as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 123** and has appointed Representatives Thomas, Estes and Stogsdill as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 115** and has appointed Representatives Concannon, Johnson and Ousley as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **Sub SB 131** and has appointed Representatives Landwehr, Eplee and Ruiz, S. as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 189** and has appointed Representatives Patton, Schreiber and Carmichael as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 243** and has appointed Representatives Patton, Schreiber and Carmichael as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 75** and has appointed Representatives Patton, Schreiber and Carmichael as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 217** and has appointed Representatives Owens, Smith, E. and Highberger as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 228** and has appointed Representatives Owens, Smith, E. and Highberger as conferees on the part of the House.

The House announced the appointment of Representative Poskin to replace Representative Winn as a conferee on **H Sub SB 83**.

The House nonconcurrs in Senate amendments to **HB 2019**, requests a conference and has appointed Representatives Francis, Neelly and Ballard as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2335**, requests a conference and has appointed Representatives Francis, Neelly and Ballard as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2039**, requests a conference and has appointed Representatives Rahjes, Moser and Carlin as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2059**, requests a conference and has appointed Representatives W. Carpenter, Kessler and Hoye as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2125**, requests a conference and has appointed Representatives Landwehr, Eplee and Ruiz, S. as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2173**, requests a conference and has appointed Representatives Tarwater, Borjon and Probst as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2234**, requests a conference and has appointed Representatives Tarwater, Borjon and Probst as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2196**, requests a conference and has appointed Representatives Hoheisel, Clifford and Xu as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2375**, requests a conference and has appointed Representatives Howe, Blew and Woodard as conferees on the part of the House.

The House nonconcur in Senate amendments to **S Sub HB 2010**, requests a conference and has appointed Representatives F. Patton, Schreiber and Carmichael as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2284**, requests a conference and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2322**, requests a conference and has appointed Representatives Thomas, Estes and Stogsdill as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2236**, requests a conference and has appointed Representatives Thomas, Estes and Stogsdill as conferees on the part of the House.

The House nonconcur in Senate amendments to **HB 2292**, requests a conference and has appointed Representatives Tarwater, Borjon and Probst as conferees on the part of the House.

The following bill was stricken from the Calendar in accordance with House Rule 1507: **SB 13**

TRIBUTES

The Committee on **Organization, Calendar, and Rules** authorizes the following tributes for the week of March 27 through March 30, 2023:

Senator Bowers: congratulating Austin Lebien on being named the 2023 Lincoln Firefighter of the Year;

Senator Doll: congratulating the Greeley County High School Boys Basketball Team on winning the 2023 1A Division 2 State Championship; and

Senator Holscher: congratulating Livia Viall on winning a 2022 Kansas Department of Commerce Regional Businessperson Award.

REPORT ON ENROLLED BILLS

SR 1719 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on March 30, 2023.

On motion of Senator Wilborn, the Senate adjourned until 10:00 a.m., Monday, April 3, 2023.

Journal of the Senate

FIFTY-SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, April 3, 2023, 10:00 a.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 38 senators present.
Senators O'Shea and Pyle were excused.
Invocation by Cecil T. Washington:

Running To Win
1 Corinthians 9:27, Galatians 5:7

Heavenly Father, You used the Apostle Paul to encourage those familiar with the Isthmian Olympic Games to prioritize their efforts in the same way that they would see athletes preparing themselves to make a winning run out on that track. When it comes to making an excellent run in life, You inspired Paul to use himself as an example. He said in 1 Corinthians 9:27, "I discipline my body like an athlete, training it to do what it should. Otherwise, I fear that after preaching to others I myself might be disqualified." Lord, not only were those words good for those in Corinth, but You've given them for us to hear as well.

We're running the race of life that determines the quality of our performance down here and the crown we will win in eternity. In Galatians 5:7, Your word refers to the track we're running on as the track of Truth. By Your Holy Spirit, Lord, help us to not deviate from the Truth or from moral uprightness. The race we're running is first to serve You, then our loved ones and the people You select. In our spirit then, that God conscious part of us, give us a warning signal to let us know when we begin to stray. As our Divine Coach, keep us on track to avoid disqualification. In Your Eyes we want to be winners of Life's Crown.

In Jesus' Name, I pray Amen!

The Pledge of Allegiance was led by Vice President Wilborn.

MESSAGES FROM THE GOVERNOR

SB 24 approved on March 31, 2023

Enclosed herewith is Executive Directive No. 23-568 for your information. (March 30, 2023)

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2036, HB 2132, HB 2140, HB 2179, HB 2194, HB 2254, HB 2275, HB 2317, HB 2416.**

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2036, HB 2132, HB 2140, HB 2179, HB 2194, HB 2254, HB 2275, HB 2317, HB 2416 were thereupon introduced and read by title.

ORIGINAL MOTION

On motion of Senator Warren, the Senate acceded to the request of the House for a conference on **S Sub HB 2010**.

The Vice President appointed Senators Warren, Wilborn and Corson as conferees on the part of the Senate.

On motion of Senator Petersen, the Senate acceded to the request of the House for a conference on **HB 2014**.

The Vice President appointed Senators Petersen, Kloos and Corson as conferees on the part of the Senate.

On motion of Senator Petersen, the Senate acceded to the request of the House for a conference on **HB 2019**.

The Vice President appointed Senators Petersen, Kloos and Corson as conferees on the part of the Senate.

On motion of Senator Kerschen, the Senate acceded to the request of the House for a conference on **HB 2039**.

The Vice President appointed Senators Kerschen, Ryckman and Ware as conferees on the part of the Senate.

On motion of Senator Thompson, the Senate acceded to the request of the House for a conference on **HB 2059**.

The Vice President appointed Senators Thompson, Kloos and Faust Goudeau as conferees on the part of the Senate.

On motion of Senator Gossage, the Senate acceded to the request of the House for a conference on **HB 2125**.

The Vice President appointed Senators Gossage, Erickson and Pettey as conferees on the part of the Senate.

On motion of Senator Erickson, the Senate acceded to the request of the House for a conference on **HB 2173**.

The Vice President appointed Senators Erickson, Dietrich and Holland as conferees on the part of the Senate.

On motion of Senator Longbine, the Senate acceded to the request of the House for a conference on **HB 2196**.

The Vice President appointed Senators Longbine, Fagg and Pittman as conferees on the part of the Senate.

On motion of Senator Erickson, the Senate acceded to the request of the House for a conference on **HB 2234**.

The Vice President appointed Senators Erickson, Dietrich and Holland as conferees on the part of the Senate.

On motion of Senator Baumgardner, the Senate acceded to the request of the House for a conference on **HB 2236**.

The Vice President appointed Senators Baumgardner, Erickson and Sykes as conferees on the part of the Senate.

On motion of Senator Longbine, the Senate acceded to the request of the House for a conference on **HB 2284**.

The Vice President appointed Senators Longbine, Fagg and Holscher as conferees on the part of the Senate.

On motion of Senator Erickson, the Senate acceded to the request of the House for a conference on **HB 2292**.

The Vice President appointed Senators Erickson, Dietrich and Holland as conferees on the part of the Senate.

On motion of Senator Baumgardner, the Senate acceded to the request of the House for a conference on **HB 2322**.

The Vice President appointed Senators Baumgardner, Erickson and Sykes as conferees on the part of the Senate.

On motion of Senator Petersen, the Senate acceded to the request of the House for a conference on **HB 2335**.

The Vice President appointed Senators Petersen, Kloos and Corson as conferees on the part of the Senate.

On motion of Senator Baumgardner, the Senate acceded to the request of the House for a conference on **HB 2375**.

The Vice President appointed Senators Baumgardner, Erickson and Sykes as conferees on the part of the Senate.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

On motion of Senator Tyson the Senate nonconcurred in the House amendments to **SB 8** and requested a conference committee be appointed.

The Vice President appointed Senators Tyson, Peck and Holland as a conference committee on the part of the Senate.

On motion of Senator Longbine the Senate nonconcurred in the House amendments to **SB 25** and requested a conference committee be appointed.

The Vice President appointed Senators Longbine, Fagg and Holscher as a conference committee on the part of the Senate.

On motion of Senator Billinger the Senate nonconcurred in the House amendments to **H Sub SB 42** and requested a conference committee be appointed.

The Vice President appointed Senators Billinger, Claeys and Pettey as a conference committee on the part of the Senate.

On motion of Senator Warren the Senate nonconcurred in the House amendments to **H Sub SB 73** and requested a conference committee be appointed.

The Vice President appointed Senators Warren, Wilborn and Corson as a conference committee on the part of the Senate.

On motion of Senator Baumgardner the Senate nonconcurred in the House amendments to **H Sub SB 113** and requested a conference committee be appointed.

The Vice President appointed Senators Baumgardner, Erickson and Sykes as a conference committee on the part of the Senate.

On motion of Senator Thompson the Senate nonconcurred in the House amendments to **H Sub SB 116** and requested a conference committee be appointed.

The Vice President appointed Senators Thompson, Kloos and Faust Goudeau as a conference committee on the part of the Senate.

On motion of Senator Tyson the Senate nonconcurred in the House amendments to **H Sub SB 169** and requested a conference committee be appointed.

The Vice President appointed Senators Tyson, Peck and Holland as a conference committee on the part of the Senate.

On motion of Senator Warren the Senate nonconcurred in the House amendments to **SB 174** and requested a conference committee be appointed.

The Vice President appointed Senators Warren, Wilborn and Corson as a conference committee on the part of the Senate.

On motion of Senator Thompson the Senate nonconcurred in the House amendments to **SB 209** and requested a conference committee be appointed.

The Vice President appointed Senators Thompson, Kloos and Faust Goudeau as a conference committee on the part of the Senate.

On motion of Senator Thompson the Senate nonconcurred in the House amendments to **SB 221** and requested a conference committee be appointed.

The Vice President appointed Senators Thompson, Kloos and Faust Goudeau as a conference committee on the part of the Senate.

On motion of Senator Warren the Senate nonconcurred in the House amendments to **H Sub SB 244** and requested a conference committee be appointed.

The Vice President appointed Senators Warren, Wilborn and Corson as a conference committee on the part of the Senate.

On motion of Senator Alley, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate met pursuant to recess with Vice President Wilborn in the chair.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Reddi introduced the following Senate resolution, which was read:
SENATE RESOLUTION No. 1720—

A RESOLUTION recognizing the contributions of
Kansas Rotarians to our citizens and communities.

WHEREAS, It has been proven that people of all ages lead happier, healthier and more purposeful lives when they volunteer their time and talents; and

WHEREAS, Americans, and especially Kansans, are noted for their strong community spirit and willingness to help their neighbors; and

WHEREAS, Rotary International was founded in 1905 with the motto "Service Above Self" to harness, organize and promote volunteerism, friendship and community improvement; and

WHEREAS, There are now 1.4 million Rotarians in almost every country around the world, devoting 47 million hours of service worth over \$850 million per year; and

WHEREAS, Rotarians dedicate themselves to promoting peace, fighting disease, helping disadvantaged mothers and children, supporting education, growing local economies, protecting the environment, ending polio and providing clean water, sanitation and hygiene; and

WHEREAS, In Kansas, there are 155 Rotary Clubs with over 4,000 members

contributing immeasurable hours of service and funds to our neighbors, communities and citizens around the world; and

WHEREAS, Kansas Rotarians spend their volunteer hours fighting human trafficking across Kansas; cleaning our parks, streams and roadways; repairing homes for veterans, the elderly and the disabled; resettling refugees; helping mothers and families nurture and safely raise their children; mentoring students; awarding scholarships; providing water filters, shelter-boxes and hygiene supplies to victims of poverty, war and disaster; stocking food banks; feeding the hungry; hosting foreign exchange students and supporting community events and beautification efforts; and

WHEREAS, Rotary clubs are continuously seeking new members to help them expand their initiatives. If an individual is interested, Rotarians welcome and invite them to find their local Rotary club or visit with a Rotarian: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we recognize Rotarians across Kansas for their invaluable contributions and all that they have done to make our communities and state thrive and be a better place to work and live; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Senator Reddi.

On emergency motion of Senator Reddi **SR 1720** was adopted by voice vote.

MESSAGE FROM THE HOUSE

The House announces the appointment of Representatives Waymaster, Hoffman and Helgerson to replace Representatives Hoffman, Rhiley and Amyx as conferees on **HB 2184**.

The House announces the appointment of Representative Laura Williams, to Replace Representative Clifford as a conferee on **SB 44**.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2020** 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

RICK KLOOS

ETHAN CORSON

Conferees on part of Senate

SHNNON FRANCIS

LANCE NEELLY

BARBARA BALLARD

Conferees on part of House

On motion of Senator Petersen the Senate adopted the conference committee report on **HB 2020**, and requested a new conference be appointed.

The Vice President appointed Senators Petersen, Kloos and Corson as a second Conference Committee on the part of the Senate on **HB 2020**.

On motion of Senator Alley, the Senate recessed until the sound of the gavel.

The Senate met pursuant to recess with Vice President Wilborn in the chair.

STANDING COMMITTEE REPORTS

The Committee on **Federal and State Affairs** recommends **HB 2058** be amended by substituting with a new bill to be designated as "Senate Substitute for HOUSE BILL NO. 2058," as follows:

"Senate Substitute for HOUSE BILL NO. 2058
By Committee on Federal and State Affairs

"AN ACT concerning gaming; relating to sports wagering; authorizing any compact with a federally recognized Indian tribe to include provisions governing sports wagering outside the boundaries of Indian lands; crediting tax revenue generated by wagers on historical horse races to the horse breeding development fund and the horse fair racing benefit fund; amending K.S.A. 2022 Supp. 46-2305 and 74-8823 and repealing the existing sections.";

And the substitute bill be passed.

REPORT ON ENROLLED BILLS

SB 3, SB 114, SB 120 reported correctly enrolled, properly signed and presented to the Governor on April 3, 2023.

On motion of Senator Thompson, the Senate adjourned until 10:00 a.m., Tuesday, April 4, 2023.

Journal of the Senate

FIFTY-SEVENTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, April 4, 2023, 10:00 a.m.

The Senate was called to order by Vice President Rick Wilborn.
The roll was called with 40 senators present.
Invocation by Reverend Cecil T. Washington:

Strength For The Weary
1 Kings 19:4-7, Isaiah 40:28-31

Lord, as we run life's race, and as we encounter all the obstacles, there are times when we get tired. When we look around and don't see some that should be running with us it can be discouraging. Even after a win and enjoying the high of a victory, we can experience emotional lows.

In 1 Kings 19:4-7, after enjoying a significant win Your Prophet Elijah was so physically and emotionally drained that he said to You, "I have had enough...I have had enough, LORD" He said, "Take my life!" He was ready to leave here. Oh, but Lord, You were nowhere near being finished with using him.

Lord, I'm also reminded of the encouraging Words You gave us through Your Prophet Isaiah for times when we feel empty or worn out. In Isaiah, 40:28-31, You bless us with these Words: 30) "Though the youth grow weary and tired, And vigorous young men stumble badly," 31) "Those who wait upon the LORD shall gain new strength, They will mount up with wings like eagles ... will run and not get tired ... will walk and not faint, not lose hope."

So, Lord, thanks for the reminders that You have much more for us to do.
In Your precious Name we offer this prayer, Amen!

The Pledge of Allegiance was led by Vice President Wilborn.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Assessment and Taxation: **HB 2036, HB 2254, HB 2317, HB 2416.**

Commerce: **HB 2275.**

Education: **HB 2132.**

Public Health and Welfare: **HB 2140, HB 2179, HB 2194.**

MESSAGE FROM THE HOUSE

The House announces the appointment of Representatives Owens, Eric Smith and

Highberger to replace Representatives Patton, Schreiber and Carmichael as conferees on **S Sub HB 2010**.

The House announces the appointment of Representatives Hoheisel, Clifford and Xu to replace Representatives Sutton, Penn and Neighbor as conferees on **HB 2100**

The House concurs in Senate amendments to **S Sub HB 2016, S Sub HB 2127 and HB 2323**.

The House nonconcurrs in Senate amendments to **HB 2027**, requests a conference and has appointed Representatives Patton, Schreiber and Carmichael as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2172**, requests a conference and has appointed Representatives Patton, Schreiber and Carmichael as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2216**, requests a conference and has appointed Representatives Patton, Schreiber and Carmichael as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2002**, requests a conference and has appointed Representatives Smith, A., Bergkamp and Sawyer as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2021**, requests a conference and has appointed Representatives Owens, Smith, E. and Highberger as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2350**, requests a conference and has appointed Representatives Owens, Smith, E. and Highberger as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2024**, requests a conference and has appointed Representatives Concannon, Johnson and Ousley as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **S Sub HB 2070**, requests a conference and has appointed Representatives Concannon, Johnson and Ousley as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2147**, requests a conference and has appointed Representatives Francis, Neelly and Ballard as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2346**, requests a conference and has appointed Representatives Francis, Neelly and Ballard as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2279**, requests a conference and has appointed Representatives Minnix, Howerton and Vaughn as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **S Sub HB 2302**, requests a conference and has appointed Representatives Minnix, Howerton and Vaughn as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **S Sub HB 2170**, requests a conference and has appointed Representatives W. Carpenter, Kessler and Hoye as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2336**, requests a conference and

has appointed Representatives Tarwater, Borjon and Probst as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2325**, requests a conference and has appointed Representatives Landwehr, Eplee and Ruiz, S. as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **HB 2264**, requests a conference and has appointed Representatives Landwehr, Eplee and Ruiz, S. as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **S Sub HB 2390**, requests a conference and has appointed Representatives Landwehr, Eplee and Ruiz, S. as conferees on the part of the House.

The House nonconcurrs in Senate amendments to **S Sub HB 2138**, requests a conference and has appointed Representatives Thomas, Estes and Stogsdill as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 8** and has appointed Representatives Smith, A., Bergkamp and Sawyer as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 25** and has appointed Representatives Sutton, Penn and Neighbor as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **H Sub SB 42** and has appointed Representatives Waymaster, Hoffman and Helgerson as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **H Sub SB 73** and has appointed Representatives Owens, Smith, E. and Highberger as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **H Sub SB 113** and has appointed Representatives Williams, K., Landwehr and Winn as conferees on the part of the House.

The House adopts the Conference Committee report to agree to disagree on **HB 2020**, and has appointed Representatives Francis, Neelly and Ballard as second conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **H Sub SB 116** and has appointed Representatives W. Carpenter, Kessler and Hoye as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **H Sub SB 169** and has appointed Representatives Smith, A., Bergkamp and Sawyer as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 174** and has appointed Representatives Owens, Smith, E. and Highberger as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 209** and has appointed Representatives Proctor, Waggoner and Woodard as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **SB 221** and has appointed **Representatives Proctor, Waggoner and Woodard** as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **H Sub SB 244** and has appointed Representatives F. Patton, Schreiber and Carmichael as conferees on the part of the House.

ORIGINAL MOTION

On motion of Senator Warren, the Senate acceded to the request of the House for a conference on **HB 2021**.

The Vice President appointed Senators Warren, Wilborn and Corson as conferees on the part of the Senate.

On motion of Senator Gossage, the Senate acceded to the request of the House for a conference on **HB 2024**.

The Vice President appointed Senators Gossage, Erickson and Pettey as conferees on the part of the Senate.

On motion of Senator Warren, the Senate acceded to the request of the House for a conference on **HB 2027**.

The Vice President appointed Senators Warren, Wilborn and Corson as conferees on the part of the Senate.

On motion of Senator Warren, the Senate acceded to the request of the House for a conference on **S Sub HB 2070**.

The Vice President appointed Senators Warren, Wilborn and Corson as conferees on the part of the Senate.

On motion of Senator Baumgardner, the Senate acceded to the request of the House for a conference on **S Sub HB 2138**.

The Vice President appointed Senators Baumgardner, Erickson and Sykes as conferees on the part of the Senate.

On motion of Senator Petersen, the Senate acceded to the request of the House for a conference on **HB 2147**.

The Vice President appointed Senators Petersen, Kloos and Corson as conferees on the part of the Senate.

On motion of Senator Thompson, the Senate acceded to the request of the House for a conference on **S Sub HB 2170**.

The Vice President appointed Senators Thompson, Kloos and Faust-Goudeau as conferees on the part of the Senate.

On motion of Senator Warren, the Senate acceded to the request of the House for a conference on **HB 2172**.

The Vice President appointed Senators Warren, Wilborn and Corson as conferees on the part of the Senate.

On motion of Senator Warren, the Senate acceded to the request of the House for a conference on **HB 2216**.

The Vice President appointed Senators Warren, Wilborn and Corson as conferees on the part of the Senate.

On motion of Senator Gossage, the Senate acceded to the request of the House for a conference on **HB 2264**.

The Vice President appointed Senators Gossage, Erickson and Pettey as conferees on the part of the Senate.

On motion of Senator Kerschen, the Senate acceded to the request of the House for a conference on **HB 2279**.

The Vice President appointed Senators Kerschen, Ryckman and Ware as conferees on the part of the Senate.

On motion of Senator Kerschen, the Senate acceded to the request of the House for a conference on **S Sub HB 2302**.

The Vice President appointed Senators Kerschen, Fagg and Ware as conferees on the part of the Senate.

On motion of Senator Gossage, the Senate acceded to the request of the House for a conference on **HB 2325**.

The Vice President appointed Senators Gossage, Erickson and Pettey as conferees on the part of the Senate.

On motion of Senator Erickson, the Senate acceded to the request of the House for a conference on **HB 2336**.

The Vice President appointed Senators Erickson, Dietrich and Holland as conferees on the part of the Senate.

On motion of Senator Petersen, the Senate acceded to the request of the House for a conference on **HB 2346**.

The Vice President appointed Senators Petersen, Kloos and Corson as conferees on the part of the Senate.

On motion of Senator Warren, the Senate acceded to the request of the House for a conference on **HB 2350**.

The Vice President appointed Senators Warren, Wilborn and Corson as conferees on the part of the Senate.

On motion of Senator Gossage, the Senate acceded to the request of the House for a conference on **S Sub HB 2390**.

The Vice President appointed Senators Gossage, Erickson and Pettey as conferees on the part of the Senate.

CHANGE OF REFERENCE

Under the authority of the President the Vice President withdrew **SB 51, SB 204** from the Calendar under the heading of **General Orders**, and rereferred the bills to the Committee on **Financial Institutions and Insurance**.

CHANGE OF CONFERENCE

Senators Thompson, Kloos, and Faust Goudeau are appointed to replace Senators Longbine, Fagg, and Holscher as members of the conference committee on **HB 2100**.

On motion of Senator Alley, the Senate recessed until 2:00 p.m.

The Senate met pursuant to recess with President Masterson in the chair.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following concurrent resolution was introduced and read by title:

SENATE CONCURRENT RESOLUTION No. **SCR 1611**—

By Committee on Assessment and Taxation

A PROPOSITION to amend section 1 of article 11 of the constitution of the state of Kansas; relating to property taxation; limiting valuation increases for real property.

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the Senate and two-thirds of the members elected (or appointed) and qualified to the House of Representatives 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~~ 2025, 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 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.

The valuation of any real property shall not increase by more than 4% in any taxable year except when:

- (1) The property includes new construction or improvements have been made to the property;*
- (2) the class or subclass of the property changes for assessment rate purposes;*
- (3) the property becomes disqualified from exemption;*
- (4) the property is first listed as escaped or omitted property;*
- (5) the legal description of the land, lot or parcel changes, except that the total valuation of all property affected by a legal description change shall not exceed the total valuation of the affected property for the previous year by more than 4%; or*
- (6) title to the property is transferred, changed or conveyed to another person.*

The legislature may define new construction or improvements by law and enact such other legislation as is necessary to administer this provision.

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 limit annual valuation increases to 4% for real property for purposes of property taxation except when the property includes new construction or improvements have been made to the property, the class or subclass of the property changes, the property becomes disqualified from exemption, the property is first listed as escaped or omitted property, the legal description of the property changes or title to the property is transferred, changed or conveyed to another person.

"A vote for this proposition would limit annual valuation increases to 4% for real property except when the property includes new construction or improvements have been made to the property, the class or subclass of the property changes, the property becomes disqualified from exemption, the property is first listed as escaped or omitted property, the legal description of the property changes or title to the property is transferred, changed or conveyed to another person. The amendment would also authorize the legislature to define new construction or improvements and to enact such other legislation as is necessary to administer the provision.

"A vote against this proposition would provide no change to the Kansas constitution."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the Senate and two-thirds of the members elected (or appointed) and qualified to the House of Representatives, 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 2024, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case such proposed amendment shall be submitted to the electors of the state at the special election.

MESSAGE FROM THE HOUSE

The House concurs in Senate amendments to **S Sub HB 2053; HB 2160, HB 2313, HB 2326.**

The House nonconcurrs in Senate amendments to **S Sub HB 2060**, requests a conference and has appointed Representatives Williams, K., Landwehr and Winn as conferees on the part of the House.

The House announced the appointment of Representative Winn to replace Representative Poskin as a conferee on **H Sub SB 83.**

ORIGINAL MOTION

On motion of Senator Baumgardner, the Senate acceded to the request of the House for a conference on **S Sub HB 2060.**

The President appointed Senators Baumgardner, Erickson and Sykes as conferees on the part of the Senate.

CHANGE OF CONFERENCE

Senator Holscher is appointed to replace Senator Faust Goudeau as a member of the conference committee on **HB 2100**.

ORIGINAL MOTION

Senator Thompson motioned to advance **S Sub HB 2058** to Emergency Final Action, subject to amendment, debate and roll call. Motion carried.

Senator Thompson moved the committee report on **HB 2058** recommending **S Sub HB 2058** be adopted, be amended by motion of Senator Shallenburger; on page 1, following line 9, by inserting:

"Section 1. K.S.A. 2022 Supp. 21-6109 is hereby amended to read as follows: 21-6109. As used in K.S.A. 2022 Supp. 21-6109 through 21-6116, and amendments thereto:

(a) "Access point" means the area within a ten foot radius outside of any doorway, open window or air intake leading into a building or facility that is not exempted pursuant to K.S.A. 2022 Supp. 21-6110(d), and amendments thereto.

(b) "Bar" means any indoor area that is operated and licensed for the sale and service of alcoholic beverages, including alcoholic liquor as defined in K.S.A. 41-102, and amendments thereto, or cereal malt beverages as defined in K.S.A. 41-2701, and amendments thereto, for on-premises consumption.

(c) "Employee" means any person who is employed by an employer in consideration for direct or indirect monetary wages or profit and any person who volunteers their services for a nonprofit entity.

(d) "Employer" means any person, partnership, corporation, association or organization, including municipal or nonprofit entities, that employs one or more individual persons.

(e) "Enclosed area" means all space between a floor and ceiling that is enclosed on all sides by solid walls, windows or doorways that extend from the floor to the ceiling, including all space therein screened by partitions that do not extend to the ceiling or are not solid or similar structures. For purposes of this section, the following shall not be considered an "enclosed area": (1) Rooms or areas, enclosed by walls, windows or doorways, having neither a ceiling nor a roof and that are completely open to the elements and weather at all times; and (2) rooms or areas, enclosed by walls, fences, windows or doorways and a roof or ceiling, having openings that are permanently open to the elements and weather and that comprise an area that is at least 30% of the total perimeter wall area of such room or area.

(f) "Food service establishment" means any place in which food is served or is prepared for sale or service on the premises. Such term shall include, but not be limited to, fixed or mobile restaurants, coffee shops, cafeterias, short-order cafes, luncheonettes, grills, tea rooms, sandwich shops, soda fountains, taverns, private clubs, roadside kitchens, commissaries and any other private, public or nonprofit organization or institution routinely serving food and any other eating or drinking establishment or operation where food is served or provided for the public with or without charge.

(g) "Gaming floor" means the area of a lottery gaming facility or racetrack gaming facility, as those terms are defined in K.S.A. 74-8702, and amendments thereto, where patrons engage in Class III gaming. The gaming floor shall not include any areas used for accounting, maintenance, surveillance, security, administrative offices, storage, cash

~~or cash counting, records, food service, lodging or entertainment, except that the gaming floor may include a bar where alcoholic beverages are served so long as the bar is located entirely within the area where Class III gaming is conducted.~~

~~(h)~~—"Medical care facility" means a physician's office, general hospital, special hospital, ambulatory surgery center or recuperation center, as defined by K.S.A. 65-425, and amendments thereto, and any psychiatric hospital licensed under K.S.A. 39-2001 et seq., and amendments thereto.

~~(i)~~~~(h)~~ "Outdoor recreational facility" means a hunting, fishing, shooting or golf club, business or enterprise operated primarily for the benefit of its owners, members and their guests and not normally open to the general public.

~~(j)~~~~(i)~~ "Place of employment" means any enclosed area under the control of a public or private employer, including, but not limited to, work areas, auditoriums, elevators, private offices, employee lounges and restrooms, conference and meeting rooms, classrooms, employee cafeterias, stairwells and hallways, that is used by employees during the course of employment. For purposes of this section, a private residence shall not be considered a "place of employment" unless such residence is used as a day care home, as defined in K.S.A. 65-530, and amendments thereto.

~~(k)~~~~(j)~~ "Private club" means an outdoor recreational facility operated primarily for the use of its owners, members and their guests that in its ordinary course of business is not open to the general public for which use of its facilities has substantial dues or membership fee requirements for its members.

~~(l)~~~~(k)~~ "Public building" means any building owned or operated by: (1) The state, including any branch, department, agency, bureau, commission, authority or other instrumentality thereof; (2) any county, city, township, other political subdivision, including any commission, authority, agency or instrumentality thereof; or (3) any other separate corporate instrumentality or unit of the state or any municipality.

~~(m)~~~~(l)~~ "Public meeting" means any meeting open to the public pursuant to K.S.A. 75-4317 et seq., and amendments thereto, or any other law of this state.

~~(n)~~~~(m)~~ "Public place" means any enclosed areas open to the public or used by the general public including, but not limited to: Banks, bars, food service establishments, retail service establishments, retail stores, public means of mass transportation, passenger elevators, health care institutions or any other place where health care services are provided to the public, medical care facilities, educational facilities, libraries, courtrooms, public buildings, restrooms, grocery stores, school buses, museums, theaters, auditoriums, arenas and recreational facilities. For purposes of this section, a private residence shall not be considered a "public place" unless such residence is used as a day care home, as defined in K.S.A. 65-530, and amendments thereto.

~~(o)~~~~(n)~~ "Smoking" means possession of a lighted cigarette, cigar, pipe or burning tobacco in any other form or device designed for the use of tobacco.

~~(p)~~~~(o)~~ "Tobacco shop" means any indoor area operated primarily for the retail sale of tobacco, tobacco products or smoking devices or accessories, and that derives not less than 65% of its gross receipts from the sale of tobacco.

~~(q)~~~~(p)~~ "Substantial dues or membership fee requirements" means initiation costs, dues or fees proportional to the cost of membership in similarly-situated outdoor recreational facilities that are not considered nominal and implemented to otherwise avoid or evade restrictions of a statewide ban on smoking.

Sec. 2. K.S.A. 2022 Supp. 21-6110 is hereby amended to read as follows: 21-6110.

(a) It shall be unlawful, with no requirement of a culpable mental state, to smoke in an enclosed area or at a public meeting including, but not limited to:

- (1) Public places;
- (2) taxicabs and limousines;
- (3) restrooms, lobbies, hallways and other common areas in public and private buildings, condominiums and other multiple-residential facilities;
- (4) restrooms, lobbies and other common areas in hotels and motels and in at least 80% of the sleeping quarters within a hotel or motel that may be rented to guests;
- (5) access points of all buildings and facilities not exempted pursuant to subsection (d); and
- (6) any place of employment.

(b) Each employer having a place of employment that is an enclosed area shall provide a smoke-free workplace for all employees. Such employer shall also adopt and maintain a written smoking policy which shall prohibit smoking without exception in all areas of the place of employment. Such policy shall be communicated to all current employees within one week of its adoption and shall be communicated to all new employees upon hiring. Each employer shall provide a written copy of the smoking policy upon request to any current or prospective employee.

(c) Notwithstanding any other provision of this section, K.S.A. 2022 Supp. 21-6111 or 21-6112, and amendments thereto, the proprietor or other person in charge of an adult care home, as defined in K.S.A. 39-923, and amendments thereto, or a medical care facility, may designate a portion of such adult care home, or the licensed long-term care unit of such medical care facility, as a smoking area, and smoking may be permitted within such designated smoking area.

(d) The provisions of this section shall not apply to:

(1) The outdoor areas of any building or facility beyond the access points of such building or facility;

(2) private homes or residences, except when such home or residence is used as a day care home, as defined in K.S.A. 65-530, and amendments thereto;

(3) a hotel or motel room rented to one or more guests if the total percentage of such hotel or motel rooms in such hotel or motel does not exceed 20%;

~~(4) the gaming floor of a lottery gaming facility or racetrack gaming facility, as those terms are defined in K.S.A. 74-8702, and amendments thereto;~~

~~(5) that portion of an adult care home, as defined in K.S.A. 39-923, and amendments thereto, that is expressly designated as a smoking area by the proprietor or other person in charge of such adult care home pursuant to subsection (c) and that is fully enclosed and ventilated;~~

~~(6)(5) that portion of a licensed long-term care unit of a medical care facility that is expressly designated as a smoking area by the proprietor or other person in charge of such medical care facility pursuant to subsection (c) and that is fully enclosed and ventilated and to which access is restricted to the residents and their guests;~~

~~(7)(6) tobacco shops;~~

~~(8)(7) a class A or class B club defined in K.S.A. 41-2601, and amendments thereto, which: (A) Held a license pursuant to K.S.A. 41-2606 et seq., and amendments thereto, as of January 1, 2009; and (B) notifies the secretary of health and environment in writing, not later than 90 days after the effective date of this act, that it wishes to~~

continue to allow smoking on its premises;

~~(9)~~(8) a private club in designated areas where minors are prohibited;

~~(10)~~(9) any benefit cigar dinner or other cigar dinner of a substantially similar nature that:

(A) Is conducted specifically and exclusively for charitable purposes by a nonprofit organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(B) is conducted no more than once per calendar year by such organization; and

(C) has been held during each of the previous three years prior to January 1, 2011; and

~~(11)~~(10) that portion of a medical or clinical research facility constituting a separately ventilated, secure smoking room dedicated and used solely and exclusively for clinical research activities conducted in accordance with regulatory authority of the United States or the state of Kansas, as determined by the director of alcoholic beverage control of the department of revenue.";

On page 2, in line 37, after "Supp." by inserting "21-6109, 21-6110,";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after the first semicolon by inserting "removing the exemption in the Kansas indoor clean air act for gaming floors;"; in line 6, after "Supp." by inserting "21-6109, 21-6110,"

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 21; Nays 8; Present and Passing 9; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Claeys, Dietrich, Erickson, Fagg, Francisco, Gossage, Haley, Holscher, Kloos, O'Shea, Peck, Petersen, Shallenburger, Thompson, Tyson, Ware, Wilborn.

Nays: Doll, Holland, Kerschen, Longbine, McGinn, Olson, Pittman, Ryckman.

Present and Passing: Corson, Faust-Goudeau, Masterson, Pettey, Pyle, Reddi, Steffen, Straub, Sykes.

Absent or Not Voting: Bowers, Warren.

and **S Sub HB 2058** be passed as amended.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

S Sub HB 2058, AN ACT concerning gaming; removing the exemption in the Kansas indoor clean air act for gaming floors; relating to sports wagering; authorizing any compact with a federally recognized Indian tribe to include provisions governing sports wagering outside the boundaries of Indian lands; crediting tax revenue generated by wagers on historical horse races to the horse breeding development fund and the horse fair racing benefit fund; amending K.S.A. 2022 Supp. 21-6109, 21-6110, 46-2305 and 74-8823 and repealing the existing sections.

On roll call, the vote was: Yeas 29; Nays 10; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kloos, Masterson, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Shallenburger, Sykes, Thompson, Ware, Wilborn.

Nays: Baumgardner, Doll, Kerschen, Longbine, McGinn, O'Shea, Ryckman, Steffen,

Straub, Tyson.

Present and Passing: Warren.

The substitute bill passed, as amended.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

Senator Petersen moved the Senate concur in House amendments to **SB 132**.

SB 132, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the buffalo soldier license plate.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The Senate concurred.

Senator Erickson moved the Senate concur in House amendments to **SB 180**.

SB 180, AN ACT establishing the women's bill of rights; providing a meaning of biological sex for purposes of statutory construction.

On roll call, the vote was: Yeas 28; Nays 12; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

The Senate concurred.

Senator Kerschen moved the Senate concur in House amendments to **SB 205**.

SB 205, AN ACT concerning water; relating to water rights; authorizing certain water rights in a water bank to participate in multi-year flex accounts on a temporary basis; amending K.S.A. 2022 Supp. 82a-736 and repealing the existing section.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The Senate concurred.

Senator Fagg moved the Senate concur in House amendments to **SCR 1603**.

SCR 1603, A CONCURRENT RESOLUTION urging the President of the United States to consider current geopolitical tensions and support policies to ensure America's long-term energy affordability, security, leadership and progress.

On roll call, the vote was: Yeas 29; Nays 10; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson,

Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Present and Passing: Francisco.

The Senate concurred.

REPORT ON ENROLLED BILLS

SB 49, SB 144; H Sub SB 208 reported correctly enrolled, properly signed and presented to the Governor on April 4, 2023.

SR 1720 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on April 4, 2023.

On motion of Senator Alley, the Senate adjourned until 10:00 a.m., Wednesday, April 5, 2023.

Journal of the Senate

FIFTY-EIGHTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, April 5, 2023, 10:00 a.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 40 senators present.
Invocation by Dave DePue.

Almighty God, thank You for raising public servants in these august chambers, leaders from forty statewide districts. Lord, today we have a drama packed schedule working through and acting on more than a dozen conference committee reports all of which are important to the people.

Lord, please add patience and understanding to the wisdom and knowledge You have blessed each of these senators with. Help them to negotiate positions on the proposed statutes and laws. Bless the work of their hands. Bless these precious support staff members who make this complex process bear much fruit.

I pray this in the Name of Jesus. Amen

The Pledge of Allegiance was led by President Masterson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 324, AN ACT concerning cities and counties; relating to grants; creating the legislative help grant fund; providing for transfers to and distributions from such fund; establishing help counties grants, state representative help grants and state senator help grants; prescribing procedures, requirements and limitations for such grants, by Committee on Ways and Means.

REFERENCE OF BILLS

Committee of the Whole: **SCR 1611**

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report to agree to disagree on **H Sub SB 116**, and has appointed Representatives W. Carpenter, Kessler and Hoyer as second conferees on the part of the House.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 116** 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.

WILL CARPENTER

TOM KESSLER

Conferees on part of House

MIKE THOMPSON

RICK KLOOS

OLETHA FAUST GOUDEAU

Conferees on part of Senate

On motion of Senator Thompson the Senate adopted the conference committee report on **H Sub SB 116**, and requested a new conference be appointed.

The President appointed Senators Thompson, Kloos and Faust-Goudeau as a second Conference Committee on the part of the Senate on **H Sub SB 116**.

CHANGE OF CONFERENCE

Senators Thompson, Kloos and Faust Goudeau are appointed to replace Senators Longbine, Fagg, and Holscher as members of the conference committee on **SB 14**.

Senators Gossage, Erickson and Pettey are appointed to replace Senators Longbine, Fagg, and Holscher as members of the conference committee on **SB 26**.

Senators Thompson and Faust Goudeau are appointed to replace Senators Petersen and Corson as members of the conference committee on **HB 2014**.

Senators Erickson, Dietrich and Holland are appointed to replace Senators Kerschen, Ryckman, and Ware as members of the conference committee on **HB 2039**.

Senators Gossage, Erickson and Pettey are appointed to replace Senators Longbine, Fagg, and Holscher as members of the conference committee on **HB 2094**.

CHANGE OF REFERENCE

The President withdrew **HB 2083** from the Committee on **Local Government**, and rereferred to the calendar under the heading of **General Orders**.

On motion of Senator Alley, the Senate recessed until the sound of the gavel.

The Senate met pursuant to recess with Vice President Wilborn in the chair.

ORIGINAL MOTION

Senator Tyson motioned to advance **SCR 1611** to Emergency Final Action, subject to amendment, debate and roll call.

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 27; Nays 7; Present and Passing 0; Absent or Not Voting 6.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Francisco, Holland, Holscher, Pyle, Reddi, Sykes, Ware.

Absent or Not Voting: Corson, Doll, Faust-Goudeau, Haley, Pettey, Pittman.

Motion carried.

A motion by Senator Holland to amend **SCR 1611** failed and the following amendment was rejected: on page 1, by striking all in lines 27 through 36;

On page 2, by striking all in lines 1 through 8; in line 20, by striking "11½%" and inserting "9%";

On page 3, in line 31, by striking all after "would"; by striking all in lines 32 through 38; in line 39, by striking all before the period and inserting "decrease the assessed valuation in determining property taxes for residential purposes and real property necessary to accommodate a residential community of mobile or manufactured homes"; in line 40, by striking all after "would"; by striking all in lines 41 through 43;

On page 4, by striking all in lines 1 through 7; in line 8, by striking "provision" and inserting "decrease the assessed valuation in determining property taxes for residential purposes and real property necessary to accommodate a residential community of mobile or manufactured homes from 11½% to 9%"; in line 9, by striking all after "would"; in line 10, by striking all before the period and inserting "continue the assessed valuation of real property used for residential purposes and real property necessary to accommodate a residential community of mobile or manufactured homes at 11½%";

On page 1, in the title, in line 2, by striking all after the second semicolon; in line 3, by striking all before the period and inserting "decreasing the assessed valuation of property in determining property taxes for real property used for residential purposes and real property necessary to accommodate a residential community of mobile or manufactured homes"

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 11; Nays 28; Present and Passing 0; Absent or Not Voting 1.

Yeas: Corson, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Nays: Alley, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Absent or Not Voting: Baumgardner.

EXPLANATION OF VOTE

I vote "NO" on the motion to amend. Although I understand there may be some benefit to some residential property owners, the significant tax increase to our Kansas agriculture producers is unacceptable. We all know that the Kansas economy is heavily reliant on agriculture industry. The property tax increase to production agriculture that would result from this amendment will potentially bankrupt some producers and we all rely on farmers for food and many other products. Production agriculture is already challenging, we should not intentionally pass legislation that makes it more expensive for the industry.—VIRGIL PECK

Senator Steffen requests the record to show he concurs with the "Explanation of Vote" offered by Senator Peck on **SCR 1611**.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

SCR 1611, A PROPOSITION to amend section 1 of article 11 of the constitution of the state of Kansas; relating to property taxation; limiting valuation increases for real property.

On roll call, the vote was: Yeas 28; Nays 11; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Holland, Holscher, Longbine, Pettey, Reddi, Sykes, Ware.

Absent or Not Voting: Haley.

The resolution was adopted by the required 2/3 constitutional majority.

On motion of Senator Alley, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate met pursuant to recess with President Masterson in the chair.

MESSAGES FROM THE HOUSE

The House nonconcur in Senate amendments to **S Sub HB 2058**, requests a conference and has appointed Representatives W. Carpenter, Kessler and Hoye as conferees on the part of the House.

The House announced the appointment of Representatives Awerkamp, Howell and Meyer as conferees on **HB 2094**.

The House announced the appointment of Representatives W. Carpenter, Kessler and Hoye as conferees on **HB 2014**.

The House announce the appointment of Representatives Hoheisel, L. Williams and Xu as conferees on **SB 17**.

Announcing the House here with transmits the veto message from the Governor, together with the enrolled copy of **HB 2238**,

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 of the act., which was received on March 17, 2023 and read on March 20, 2023.

**MESSAGE FROM THE GOVERNOR
REGARDING VETO OF HOUSE BILL 2238**

"As I've said before, we all want a fair and safe place for our kids to play and compete.

That's why I support the Kansas State High School Activities Association, which was set up to ensure nobody has an unfair advantage on the playing field. The Legislature should let the Association do its job.

Let's be clear about what this bill is all about – politics. It won't increase any test scores. It won't help any kids read or write. It won't help any teachers prepare our kids for the real world. Here's what this bill would actually do: harm the mental health of our

students. That's exactly why Republican governors have joined me in vetoing similar bills.

This bill would also reverse the progress we've made in recruiting businesses and creating jobs. It would send a signal to prospective companies that Kansas is more focused on unnecessary and divisive legislation than becoming a place where young people want to work and raise a family.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **House Bill 2238.**"

A motion was made that **HB 2238** be passed notwithstanding the Governor's veto. By vote of 84 Yeas and 40 Nays, the motion having received the required two-thirds constitutional majority of the members elected or appointed to the House of Representatives, voting in the affirmative, the bill passed.

ACTION ON VETO MESSAGE

A motion was made by Senator Erickson that **HB 2238** be passed notwithstanding the Governor's veto.

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 of the act.,

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 28; Nays 12; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

A two-thirds constitutional majority having voted in favor of overriding the Governor's veto, the motion prevailed and the bill passed.

The Call was lifted.

EXPLANATION OF VOTE

It is not the job of the Kansas Legislature to be deciding what kindergarteners do and don't do. Sports federations such as the NCAA are making sport-appropriate decisions about this. In competitive swimming, athletes must transition by age 12 in order to compete. They've addressed the problem. For Christians, this week is Holy Week, when Jesus was crucified. And what this body is doing is crucifying a part of our community. I vote no.—DINAH SYKES

Senator Pettey requests the record to show she concurs with the "Explanation of Vote" offered by Senator Sykes on **HB 2338**.

ORIGINAL MOTION

On motion of Senator Tyson, the Senate acceded to the request of the House for a conference on **HB 2002**.

The President appointed Senators Tyson, Peck and Holland as conferees on the part

of the Senate.

On motion of Senator Thompson, the Senate acceded to the request of the House for a conference on **S Sub HB 2058**.

The President appointed Senators Thompson, Kloos and Faust Goudeau as conferees on the part of the Senate.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

Senator Longbine moved the Senate concur in House amendments to **SB 44**.

SB 44, AN ACT concerning financial institutions; relating to cybersecurity; enacting the Kansas financial institutions information security act; requiring certain covered entities to protect customer information; authorizing the state bank commissioner to adopt rules and regulations; providing penalties for violations of such act.

On roll call, the vote was: Yeas 36; Nays 4; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Pyle, Steffen, Straub, Tyson.

The Senate concurred.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2020** 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 23, by inserting:

"Sec. 2. (a) All transportation network company drivers shall be independent contractors and not employees of the transportation network company if all of the following conditions are met:

(1) The transportation network company does not prescribe specific hours that a transportation network company driver shall be logged into the transportation network company's digital network;

(2) the transportation network company imposes no restrictions on the transportation network company driver's ability to utilize digital networks from other transportation network companies;

(3) the transportation network company does not restrict a transportation network company driver from engaging in any other occupation or business; and

(4) the transportation network company and the transportation network company driver agree in writing that the driver is an independent contractor with respect to the transportation network company.

(b) The provisions of this section shall be limited to the relationship between transportation network companies and transportation network company drivers.

(c) This act shall be a part of and supplemental to the Kansas transportation network company services act.";

Also on page 1, in line 25, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, by striking "motor carriers" and inserting "transportation"; in line 3, after "vehicle" by inserting "; relating to the Kansas transportation network company services act; establishing conditions for when a driver is an independent contractor for a transportation network company";

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

MIKE PETERSEN

RICK KLOOS

Conferees on part of Senate

SHANNON FRANCIS

LANCE NEELLY

Conferees on part of House

Senator Petersen moved the Senate adopt the Conference Committee Report on **HB 2020**.

On roll call, the vote was: Yeas 28; Nays 12; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2059** 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, following line 11, by inserting:

"New Section 1. (a) Notwithstanding any other provisions of state law, a food establishment, as defined in K.S.A. 65-656, and amendments thereto, that is a microbrewery as defined in K.S.A. 41-102, and amendments thereto, and is licensed as provided in K.S.A. 41-308b, and amendments thereto, may allow live dogs in outside and inside areas on the premises if the conditions specified in subsection (c) are met.

(b) Notwithstanding any other provisions of state law, a food establishment, as defined in K.S.A. 65-656, and amendments thereto, that is not a microbrewery as defined in K.S.A. 41-102, and amendments thereto, may allow live dogs in outside areas on the premises, if the conditions as specified in subsection (c) are met.

(c) The following conditions shall be met by a food establishment for dogs to be permitted on such food establishment's premises as permitted by subsections (a) and (b):

(1) The food establishment shall prepare a written plan describing the processes and procedures in place to prevent food contamination from dogs on the premises. The

plan shall be posted next to the food establishment license inside the premises of the food establishment. The employees of the food establishment shall be trained on the plan, and the plan shall be made available to the Kansas department of agriculture upon request;

(2) dogs shall be under handler control. Dogs shall be well behaved and respond to their handler's command. Dogs belonging to food establishment owners, management or employees shall not be required to be leashed. Dogs belonging to guests of the food establishment shall be leashed at all times;

(3) with respect to a food establishment that is a microbrewery, as provided by subsection (a), dogs in indoor areas shall not be permitted in food or drink preparation areas, including, but not limited to, kitchens and behind bars;

(4) dogs shall not be permitted on dining surfaces, including tables, bars or counter tops;

(5) dogs shall not be fed or watered from any food establishment equipment, including, but not limited to, plates, bowls and utensils, except for single-service items that are disposed of immediately following such use;

(6) an area outside the food establishment shall be designated for dog urination and defecation;

(7) employees shall be required to wash their hands after contact of any kind with a dog prior to handling any food, drink, utensil or food or drink production, preparation or serving equipment or the preparation or use of surfaces that may come into contact with food or drink;

(8) guests shall be advised to wash their hands after any contact with a dog; and

(9) a process for immediately sanitizing equipment or surfaces used for the production, preparation, serving or consumption of food or drink if a dog has contact with such equipment or surfaces shall be developed and followed by the food establishment. This process shall include instructions for disposing of contaminated food or drink.";

On page 7, following line 32, by inserting:

"Sec. 6. On and after July 1, 2023, K.S.A. 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~~ mean the same as defined 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 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~~ such person 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~~ monthly basis electronically remit such taxes in a manner prescribed by the secretary and shall accompany such remittance with any reports, documentation 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.";

On page 9, following line 31, by inserting:

"Sec. 8. K.S.A. 2022 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. 41-2911, and amendments thereto, or have been so expanded and subsequently restricted as provided by K.S.A. 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 that~~ 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 that~~ 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. 41-2911, and amendments thereto, and have not been subsequently restricted as provided in K.S.A. 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 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 that~~ 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 that~~ 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 or the business is a farm winery licensed pursuant to K.S.A. 41-316, and amendments thereto, or a producer licensed pursuant to K.S.A. 41-355, and amendments thereto.

(h) Cereal malt beverages may be sold on premises 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.";

Also on page 9, in line 32, after "41-307" by inserting "and K.S.A. 2022 Supp. 41-2704"; in line 33, after "41-104" by inserting ", 41-350";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "beverages" by inserting "and food establishments"; in line 5, after the second semicolon by inserting "relating to the special order shipping of wine; requiring monthly remittance of gallonage taxes; allowing businesses to sell cereal malt beverage by the drink on Sundays without requiring that 30% of the gross receipts of such businesses be derived from the sale of food; permitting food establishments to allow dogs in outside areas on the premises and food establishments that are microbreweries to allow dogs in outside and inside areas on the premises notwithstanding certain provisions of the Kansas food code;"; in line 8, after "41-307" by inserting ", 41-350"; also in line 8, after the second "and" by inserting "K.S.A. 2022 Supp. 41-2704 and";

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

MIKE THOMPSON

RICK KLOOS

OLETHA FAUST GOUDEAU

Conferees on part of Senate

WILL CARPENTER

TIM KESSLER

JO ELLA HOYE

Conferees on part of House

Senator Thompson moved the Senate adopt the Conference Committee Report on **HB 2059**.

On roll call, the vote was: Yeas 34; Nays 6; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Baumgardner, Gossage, Peck, Pyle, Steffen, Tyson.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2147** 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 22, by inserting:

"(e) The provisions of this section shall take effect on and after January 1, 2024.

New Sec. 2. (a) No person shall knowingly or intentionally manufacture, import, distribute, sell, offer for sale, install or reinstall a device intended to replace a supplemental restraint system component if the device is:

(1) A counterfeit supplemental restraint system component;

(2) a nonfunctional airbag; or

(3) any object in lieu of a supplemental restraint system component that was not designed in accordance with federal safety regulations for the make, model and year of the motor vehicle in which such device is or will be installed.

(b) Violation of subsection (a) shall be a class A nonperson misdemeanor.

(c) As used in this section:

(1) "Airbag" means a motor vehicle inflatable occupant restraint system device that is part of a supplemental restraint system.

(2) "Counterfeit supplemental restraint system component" means a replacement supplemental restraint system component that displays a mark identical or substantially similar to the genuine mark of a motor vehicle manufacturer or a supplier of parts to the manufacturer of a motor vehicle without authorization from that manufacturer or supplier.

(3) "Nonfunctional airbag" means a replacement airbag that:

(A) Was previously deployed or damaged;

(B) has an electric fault that is detected by the motor vehicle's diagnostic systems when the installation procedure is completed and the motor vehicle is returned to the customer who requested the work to be performed or when ownership is intended to be transferred;

(C) includes a part or object, including a supplemental restraint system component, installed in a motor vehicle to mislead the owner or operator of the motor vehicle into believing that a functional airbag has been installed; or

(D) is prohibited from being sold or leased in accordance with 49 U.S.C. § 30120(j).

(4) "Supplemental restraint system" means a passive inflatable motor vehicle occupant crash protection system designed for use in conjunction with active restraint systems as described in 49 C.F.R. § 571.208. A supplemental restraint system includes:

(A) Each airbag installed in accordance with the motor vehicle manufacturer's

design; and

(B) all components required to ensure that an airbag operates as designed in the event of a crash and in accordance with the federal motor vehicle safety standards for the specific make, model and year of the motor vehicle.

(d) This section shall be a part of and supplemental to the uniform act regulating traffic on highways.";

Also on page 3, in line 23, before "K.S.A." by inserting "On and after January 1, 2024,";

On page 4, in line 6, by striking "10" and inserting "15 calendar";

On page 6, in line 8, before "K.S.A." by inserting "On and after January 1, 2024,";

On page 8, following line 36, by inserting:

"Sec. 5. On and after January 1, 2024, K.S.A. 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 ~~10-15 calendar~~ 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.

Sec. 6. K.S.A. 8-1723 is hereby amended to read as follows: 8-1723. (a) Any motor vehicle may be equipped with not more than two side cowl or fender lamps which shall emit an amber or white light without glare.

(b) Any motor vehicle may be equipped with not more than one running-board courtesy lamp on each side which shall emit a white or amber light without glare.

(c) Any motor vehicle may be equipped with one or more back-up lamps either separately or in combination with other lamps, but any such back-up lamp or lamps shall not be lighted when the motor vehicle is in forward motion.

(d) Any vehicle 80 inches or more in overall width, if not otherwise required by K.S.A. 8-1710, and amendments thereto, may be equipped with not more than three identification lamps showing to the front which shall emit an amber light without glare and not more than three identification lamps showing to the rear which shall emit a red light without glare. Such lamps shall be mounted as specified in ~~subsection (g) of~~

K.S.A. 8-1710(g), and amendments thereto.

(e) Any vehicle may be equipped with one or more side marker lamps and any such lamp may be flashed in conjunction with turn or vehicular hazard warning signals. Side marker lamps located toward the front of a vehicle shall be amber and side marker lamps located toward the rear shall be red.

(f) Any motor vehicle may be equipped with ~~neon~~ ground effect lighting, except that such lighting shall not flash, be any shade of red nor shall any portion of the ~~neon tubes bulb or lighting fixture~~ be visible. "~~Neon~~-Ground effect lighting" means ~~neon tubes lights~~ placed underneath the motor vehicle for the purpose of illuminating the ground below the motor vehicle creating a halo light effect.

(g) Any motor vehicle may be equipped with head lamps which alternately flash or simultaneously flash when such motor vehicle is being used as the lead motor vehicle of a funeral procession. A funeral hearse may serve as a funeral lead vehicle.

Sec. 7. K.S.A. 8-1723 is hereby repealed.;

Also on page 8, in line 37, before "K.S.A." by inserting "On and after January 1, 2024, "; also in line 37, by striking "and" and inserting a comma; also in line 37, before "are" by inserting "and 8-1104"; in line 40, by striking "January 1, 2024, and"; also in line 40, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 9, before "amending" by inserting "modifying requirements for certified mail notices to prior owners of abandoned or towed vehicles; relating to the uniform act regulating traffic on highways; creating the crime of knowingly or intentionally manufacturing, importing, distributing, selling, offering for sale, installing or reinstalling counterfeit supplemental restraint system components and nonfunctional airbags and providing criminal penalties for violation thereof; expanding permitted lighting equipment on vehicles to include all ground effect lighting;"; also in line 9, by striking the first "and" and inserting a comma; also in line 9, before the second "and" by inserting ", 8-1104 and 8-1723";

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

MIKE PETERSEN

RICK KLOOS

ETHAN CORSON

Conferees on part of Senate

SHANNON FRANCIS

LANCE NEELLY

BARBARA BALLARD

Conferees on part of House

Senator Petersen moved the Senate adopt the Conference Committee Report on **HB 2147**.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson,

Tyson, Ware, Warren, Wilborn.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2279** 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 30, before "The" by inserting "An itemized list of all income and the source from which the income was received, including any grants and interest income earned;

- (2) an itemized list of all expenditures by the board;
- (3) an accounting of all assets currently held by the board;
- (4)";

Also on page 1, by striking all in line 33;

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 2, in line 23, by striking "December 31" and inserting "July 1"; in line 34, by striking all after "or"; in line 35, by striking all before the semicolon and inserting "a similar measure of future water availability can be determined based on local water use and water level data";

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

DAN KERSCHEN

RON RYCKMAN

MARY WARE

Conferees on part of Senate

JIM MINNIX

CYNDI HOWERTON

LINDSAY VAUGHN

Conferees on part of House

Senator Ryckman moved the Senate adopt the Conference Committee Report on **HB 2279**.

On roll call, the vote was: Yeas 34; Nays 6; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Baumgardner, Holland, Pyle, Steffen, Straub, Tyson.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2298** 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 13, by inserting:

"Sec. 2. The portion of United States highway 69 from its junction with K-47 highway in Crawford county then north on United States highway 69 to its junction with 650th avenue is hereby designated as the Robert Lessen memorial highway. Upon compliance with K.S.A. 68-10,114, and amendments thereto, the secretary of transportation shall place suitable signs along the highway right-of-way at proper intervals to indicate that the highway is the Robert Lessen memorial highway.";

Also on page 1, in line 15, by striking "Kansas register" and inserting "statute book"; And by renumbering sections accordingly;

Also on page 1, in the title, in line 3, after "highway" by inserting "; designating a portion of United States highway 69 as the Robert Lessen memorial highway";

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

MIKE PETERSEN

RICK KLOOS

ETHAN CORSON

Conferees on part of Senate

SHANNON FRANCIS

LANCE NEELLY

BARBARA BALLARD

Conferees on part of House

Senator Petersen moved the Senate adopt the Conference Committee Report on **HB 2298**.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2335** 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 35, by striking "Kansas register" and inserting "statute book";

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

MIKE PETERSEN

RICK KLOOS

ETHAN CORSON

Conferees on part of Senate

SHANNON FRANCIS

LANCE NEELLY

BARBARA BALLARD

Conferees on part of House

Senator Petersen moved the Senate adopt the Conference Committee Report on **HB 2335**.

On roll call, the vote was: Yeas 35; Nays 2; Present and Passing 3; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Steffen, Straub.

Present and Passing: Francisco, Haley, McGinn.

The Conference Committee Report was adopted.

EXPLANATION OF VOTE

While I vote yes on **HB 2335**, I wish we had kept the Senate position putting in **Senate Bill 271**, which protects Kansans by restricting the length of our trains and making railroad crossings safer.—DINAH SYKES

Senators Faust Goudeau, Haley and Holland request the record to show they concur with the "Explanation of Vote" offered by Senator Sykes on **HB 2335**.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2346** 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, by striking all in lines 14 through 29;

And by renumbering sections accordingly;

On page 1, in the title, in line 4, by striking all after the semicolon; by striking all in line 5; in line 6, by striking "plate;"

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

MIKE PETERSEN

RICK KLOOS

ETHAN CORSON

Conferees on part of Senate

SHANNON FRANCIS
LANCE NEELLY
BARBARA BALLARD

Conferees on part of House

Senator Petersen moved the Senate adopt the Conference Committee Report on **HB 2346**.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The Conference Committee Report was adopted.

On motion of Senator Alley, the Senate recessed until 5:00 p.m.

EVENING SESSION

The Senate met pursuant to recess with President Masterson in the chair.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **SB 119**.

The House adopts the Conference Committee report on **H Sub SB 116**.

The House announces the appointment of Representatives Proctor, Waggoner and Woodard to replace Representatives Sutton, Penn and Neighbor as conferees on **SB 14**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 116** 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. 116, as follows:

On page 1, by striking all in lines 14 through 36; by striking all on pages 2 through 10;

On page 11, by striking all in lines 1 through 21; following line 21, by inserting:

"Section 1. K.S.A. 2022 Supp. 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. 2022 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 an amount of \$32.50 payable to the sheriff of the county where the applicant resides and \$100 payable to the attorney general for the purpose of covering the cost of taking fingerprints pursuant to subsection (c);~~

(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 the application 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 any provision~~ 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 who is issued a license or has such license renewed shall be required to 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 or renewal except as otherwise provided in subsection (b) for the purpose of covering the cost of taking fingerprints.~~

(g) (1) A person who is a retired law enforcement officer, as defined in K.S.A. 2022 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) (B) 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) (2)~~ 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.~~

Sec. 2. K.S.A. 2022 Supp. 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, and 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, and 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 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. 3. K.S.A. 2022 Supp. 75-7c05 and 75-7c08 are hereby repealed.";

Also on page 11, in line 23, 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 10; in line 11, by striking all before the period and inserting "the personal and family protection act; removing state agency fees for licenses to carry concealed handguns; amending K.S.A. 2022 Supp. 75-7c05 and 75-7c08 and repealing the existing sections";

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

WILL CARPENTER

TIM KESSLER

Conferees on part of House

MIKE THOMPSON

RICK KLOOS

Conferees on part of Senate

Senator Thompson moved the Senate adopt the Conference Committee Report on **H Sub SB 116**.

On roll call, the vote was: Yeas 27; Nays 10; Present and Passing 3; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Doll, Erickson, Fagg, Gossage, Haley, Kerschen, Kloos, Longbine, Masterson, Olson, Peck, Petersen, Pittman, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Francisco, Holscher, McGinn, O'Shea, Pettey, Pyle, Reddi, Sykes, Ware.

Present and Passing: Dietrich, Faust-Goudeau, Holland.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 119** 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 5, following line 19, by inserting:

"Sec. 4. K.S.A. 40-247 is hereby amended to read as follows: 40-247. (a) An insurance agent or broker who acts in negotiating or renewing or continuing a contract of insurance including any type of annuity by an insurance company lawfully doing business in this state, and who receives any money or substitute for money as a premium for such a contract from the insured, whether such agent or broker shall be entitled to an interest in same or otherwise, shall be deemed to hold such premium in trust for the company making the contract. If such agent or broker fails to pay the same over to the company after written demand made upon such agent or broker, less such

agent's or broker's commission and any deductions, to which by the written consent of the company such agent or broker may be entitled, such failure shall be prima facie evidence that such agent or broker has used or applied the premium for a purpose other than paying the same over to the company.

(b) (1) An agent or broker who violates the provisions of this section shall be guilty of a:

(A) Severity level 7, nonperson felony if the value of the insurance premium is \$25,000 or more;

(B) severity level 9, nonperson felony if the value of the insurance premium is at least \$1,000 but less than \$25,000; or

(C) class A nonperson misdemeanor if the value of the insurance premium is less than \$1,000.

(2) If the value of the insurance premium is less than \$1,000 and such agent or broker has, within five years immediately preceding commission of the crime, been convicted of violating this section two or more times shall be guilty of a severity level 9, nonperson felony.

Sec. 5. K.S.A. 40-2,125 is hereby amended to read as follows: 40-2,125. (a) If the commissioner determines after notice and opportunity for a hearing that any person has engaged or is engaging in any act or practice constituting a violation of any provision of Kansas insurance statutes or any rule and regulation or order thereunder, the commissioner may in the exercise of discretion, order any one or more of the following:

(1) Payment of a monetary penalty of not more than \$1,000 for each and every act or violation, unless the person knew or reasonably should have known such person was in violation of the Kansas insurance statutes or any rule and regulation or order thereunder, in which case the penalty shall be not more than \$2,000 for each and every act or violation;

(2) suspension or revocation of the person's license or certificate if such person knew or reasonably should have known that such person was in violation of the Kansas insurance statutes or any rule and regulation or order thereunder; or

(3) that such person cease and desist from the unlawful act or practice and take such affirmative action as in the judgment of the commissioner will carry out the purposes of the violated or potentially violated provision.

(b) If any person fails to file any report or other information with the commissioner as required by statute or fails to respond to any proper inquiry of the commissioner, the commissioner, after notice and opportunity for hearing, may impose a civil penalty of up to \$1,000, for each violation or act, along with an additional penalty of up to \$500 for each week thereafter that such report or other information is not provided to the commissioner.

(c) If the commissioner makes written findings of fact that there is a situation involving an immediate danger to the public health, safety or welfare or the public interest will be irreparably harmed by delay in issuing an order under subsection (a)(3), the commissioner may issue an emergency temporary cease and desist order. Such order, even when not an order within the meaning of K.S.A. 77-502, and amendments thereto, shall be subject to the same procedures as an emergency order issued under K.S.A. 77-536, and amendments thereto. Upon the entry of such an order, the commissioner shall promptly notify the person subject to the order that: (1) It has been entered; (2) the reasons therefor; and (3) that upon written request within 15 days after

service of the order the matter will be set for a hearing which shall be conducted in accordance with the provisions of the Kansas administrative procedure act. If no hearing is requested and none is ordered by the commissioner, the order will remain in effect until it is modified or vacated by the commissioner. If a hearing is requested or ordered, the commissioner, after notice of and opportunity for hearing to the person subject to the order, shall by written findings of fact and conclusions of law vacate, modify or make permanent the order.

(d) For purposes of this section:

(1) "Person" means any individual, corporation, association, partnership, reciprocal exchange, inter-insurer, Lloyd's insurer, fraternal benefit society and any other legal entity engaged in the business of insurance, rating organization, third party administrator, nonprofit dental service corporation, nonprofit medical and hospital service corporation, automobile club, premium financing company, health maintenance organization, insurance holding company, mortgage guaranty insurance company, risk retention or purchasing group, prepaid legal and dental service plan, captive insurance company, automobile self-insurer or reinsurance intermediary and any other legal entity under the jurisdiction of the commissioner. The term "person" ~~shall~~ does not include insurance agents and brokers as such terms are defined in K.S.A. 40-4902, and amendments thereto.

(2) "Commissioner" means the commissioner of insurance of this state.

Sec. 6. K.S.A. 2022 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 does 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, ~~2021~~ 2022, or any later version promulgated

by the NAIC as may be adopted by the commissioner under K.S.A. 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 9, following line 9, by inserting:

"Sec. 8. K.S.A. 40-3203 is hereby amended to read as follows: 40-3203. (a) Except as otherwise provided by this act, it shall be unlawful for any person to provide health care services in the manner prescribed in ~~subsection (n) or subsection (r)~~ of K.S.A. 40-3202~~(n) or (r)~~, and amendments thereto, without first obtaining a certificate of authority from the commissioner.

(b) Applications for a certificate of authority shall be made in the form required by the commissioner and shall be verified by an officer or authorized representative of the applicant and shall set forth or be accompanied by:

(1) A copy of the basic organizational documents of the applicant such as articles of incorporation, partnership agreements, trust agreements or other applicable documents;

(2) a copy of the bylaws, regulations or similar document, if any, regulating the conduct of the internal affairs of the applicant;

(3) a list of the names, addresses, official capacity with the organization and biographical information for all of the persons who are to be responsible for the conduct of its affairs, including all members of the governing body, the officers and directors in the case of a corporation and the partners or members in the case of a partnership or corporation;

(4) a sample or representative copy of any contract or agreement made or to be made between the health maintenance organization or medicare provider organization and any class of providers and a copy of any contract made or agreement made or to be made, excluding individual employment contracts or agreements, between third party administrators, marketing consultants or persons listed in subsection (3) and the health maintenance organization or medicare provider organization;

(5) a statement generally describing the organization, its enrollment process, its

operation, its quality assurance mechanism, its internal grievance procedures, in the case of a health maintenance organization the methods it proposes to use to offer its enrollees an opportunity to participate in matters of policy and operation, the geographic area or areas to be served, the location and hours of operation of the facilities at which ~~health care~~ healthcare services will be regularly available to enrollees in the case of staff and group practices, the type and specialty of ~~health care~~ healthcare personnel and the number of personnel in each specialty category engaged to provide ~~health care~~ healthcare services in the case of staff and group practices; and a records system providing documentation of utilization rates for enrollees. In cases other than staff and group practices, the organization shall provide a list of names, addresses and telephone numbers of providers by specialty;

(6) copies of all contract forms the organization proposes to offer enrollees together with a table of rates to be charged;

(7) the following statements of the fiscal soundness of the organization:

(A) Descriptions of financing arrangements for operational deficits and for developmental costs if operational one year or less;

(B) a copy of the most recent unaudited financial statements of the health maintenance organization or medicare provider organization;

(C) financial projections in conformity with statutory accounting practices prescribed or otherwise permitted by the department of insurance of the state of domicile for a minimum of three years ~~from the anticipated date of certification and on a monthly basis from the date of certification through one year from the date of application~~. If the health maintenance organization or medicare provider organization is expected to incur a deficit, projections shall be made for each deficit year and for one year thereafter, up to a maximum of five years. All financial projections shall include:

(i) ~~Monthly statements of revenue and expense for the first year on a gross dollar as well as per member per month basis, with quarters consistent with standard calendar year quarters;~~

(ii) ~~quarterly~~ Statements of revenue and expense for each ~~subsequent~~ year;

(iii)(ii) a ~~quarterly~~ balance sheet for each year; and

(iv)(iii) a statement and justification of assumptions;

(8) a description of the procedure to be utilized by a health maintenance organization or medicare provider organization to provide for:

(A) Offering enrollees an opportunity to participate in matters of policy and operation of a health maintenance organization;

(B) monitoring of the quality of care provided by such organization including, as a minimum, peer review; and

(C) resolving complaints and grievances initiated by enrollees;

(9) a written irrevocable consent duly executed by such applicant, if the applicant is a nonresident, appointing the commissioner as the person upon whom lawful process in any legal action against such organization on any cause of action arising in this state may be served and that such service of process shall be valid and binding in the same extent as if personal service had been had and obtained upon said nonresident in this state;

(10) a plan, in the case of group or staff practices, that will provide for maintaining a medical records system ~~which that~~ is adequate to provide an accurate documentation of utilization by every enrollee, such system to identify clearly, at a minimum, each

patient by name, age and sex and to indicate clearly the services provided, when, where, and by whom, the diagnosis, treatment and drug therapy, and in all other cases, evidence that contracts with providers require that similar medical records systems be in place;

(11) evidence of adequate insurance coverage or an adequate plan for self-insurance to respond to claims for injuries arising out of the furnishing of ~~health care~~ healthcare;

(12) such other information as may be required by the commissioner to make the determinations required by K.S.A. 40-3204, and amendments thereto; and

(13) in lieu of any of the application requirements imposed by this section on a medicare provider organization, the commissioner may accept any report or application filed by the medicare provider organization with the appropriate examining agency or official of another state or agency of the federal government.

(c) The commissioner may promulgate rules and regulations the commissioner deems necessary to the proper administration of this act to require a health maintenance organization or medicare provider organization, subsequent to receiving its certificate of authority to submit the information, modifications or amendments to the items described in subsection (b) to the commissioner prior to the effectuation of the modification or amendment or to require the health maintenance organization to indicate the modifications to the commissioner. Any modification or amendment for which the approval of the commissioner is required shall be deemed approved unless disapproved within 30 days, except the commissioner may postpone the action for such further time, not exceeding an additional 30 days, as necessary for proper consideration.";

Also on page 9, in line 10, by striking "and" and inserting ", 40-247, 40-2,125,"; also in line 10, after "40-955" by inserting "and 40-3203 and K.S.A. 2022 Supp. 40-2c01"; 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 "relating to insurance law;"; in line 2, by striking "obsolete"; also in line 2, by striking "therein" and inserting "in chapter 40 of the Kansas Statutes Annotated; specifying certain requirements of documents submitted by medicare provider organizations and health maintenance organizations to demonstrate fiscal soundness; removing the requirement of a documented written demand for premium as part of a prima facie case; adding certain legal entities to the definition of person for purposes of violations of insurance law; updating the version of risk-based capital insurance in effect"; in line 3, by striking the first "and" and inserting ", 40-247, 40-2,125,"; also in line 3, after "40-955" by inserting "and 40-3203 and K.S.A. 2022 Supp. 40-2c01";

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

BILL SUTTON

PATRICK PENN

CINDY NEIGHBOR

Conferees on part of House

JEFF LONGBINE

MICHAEL FAGG

CINDY HOLSCHER

Conferees on part of Senate

Senator Longbine moved the Senate adopt the Conference Committee Report on **SB 119**.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2015** submits the following report:

The Senate recedes from all of its amendments to the bill.

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

KELLIE WARREN

RICK WILBORN

ETHAN CORSON

Conferees on part of Senate

FRED PATTON

MARK SCHREIBER

JOHN CARMICHAEL

Conferees on part of House

Senator Warren moved the Senate adopt the Conference Committee Report on **HB 2015**.

On roll call, the vote was: Yeas 32; Nays 8; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Sykes, Ware, Warren, Wilborn.

Nays: Baumgardner, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2065** submits the following report:

The Senate recedes from all of its amendments to the bill.

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

KELLIE WARREN

RICK WILBORN

ETHAN CORSON

Conferees on part of Senate

FRED PATTON

MARK SCHREIBER

JOHN CARMICHAEL

Conferees on part of House

Senator Warren moved the Senate adopt the Conference Committee Report on **HB 2065**.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Tyson.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2090** 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 10, by inserting:

"Section 1. K.S.A. 40-246c is hereby amended to read as follows: 40-246c. (a) (1) On March 1 of each year, each licensed agent shall collect and pay to the commissioner a tax of 6% on the total gross premiums charged, less any return premiums, for the preceding calendar year for surplus lines insurance transacted by the licensee pursuant to the license for insureds whose home state is this state.

(2) On March 1 of each year, each licensed agent shall collect and pay to the commissioner a tax of 3% on the total gross premiums charged, less any returned premiums, for the preceding calendar year for surplus lines insurance transacted by the licensee for insureds whose home state is this state. The provisions of this paragraph shall commence with the taxable year beginning January 1, 2024.

(b) The tax on any portion of the premium unearned at termination of insurance, if any, having been credited by the state to the licensee shall be returned to the policyholder directly by the surplus lines licensee or through the producing broker. The surplus lines licensee is prohibited from rebating any part of the tax for any reason.

(c) The individual responsible for filing the statement shall be the agent who signs the policy or the agent of record with the company. The commissioner of insurance may assess a penalty up to double the amount of tax prescribed in subsection (a) from any licensee or other individual responsible for filing the statement as described in this subsection who fails, refuses or neglects to transmit the required affidavit or statement or fails to pay the tax imposed by this section to the commissioner within the period specified.

Sec. 2. K.S.A. 40-4209 is hereby amended to read as follows: 40-4209. (a) (1) No person shall act as or hold such person out to be a prepaid service plan in this state unless such person holds a certificate of registration as a prepaid service plan issued by the commissioner of insurance. An application for such certificate may be made to the commissioner of insurance on a form on forms prescribed by the commissioner and shall be accompanied by and shall include: (A) The completed application form; (B) a list of each individual who solicits memberships on behalf of such prepaid service plan; and (C) a filing fee of \$100.

(2) The certificate of registration may be continued for successive annual periods by notifying the commissioner of such intent and, paying an annual continuation fee of \$50 and advising the commissioner of insurance of any additions to or deletions from the list of individuals who solicit memberships on behalf of such prepaid service plan since the last reporting date.

(b) The certificate of registration shall be issued to or continued for a prepaid service plan by the commissioner of insurance unless the commissioner of insurance, after due notice and hearing, determines that the prepaid service plan is not competent, trustworthy, financially responsible or of good personal and business reputation, or has had a previous application for a certificate of registration denied for cause since ~~the effective date of this act January 1, 1988,~~ or within five years of the date of application, whichever is later.";

On page 5, in line 39, after "K.S.A." by inserting "40-246c, 40-4203, 40-4209,"; in line 41, 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 "to"; in line 2, by striking all before the second semicolon and inserting "fees, assessments and taxes imposed thereon"; in line 7, after the semicolon by inserting "discontinuing annual registration fees for prepaid service plans; modifying the requirement to report individuals who solicit memberships on behalf of such plans from semi-annually to annually and upon application for registration; decreasing the premium tax rate imposed on surplus lines insurance;"; in line 8, before "40-4905" by inserting "40-246c, 40-4209,"; also in line 8, after "sections" by inserting "; also repealing K.S.A. 40-4203";

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

JEFF LONGBINE
MICHAEL FAGG
CINDY HOLSCHER
Conferees on part of Senate

BILL SUTTON
PATRICK PENN
CINDY NEIGHBOR
Conferees on part of House

Senator Longbine moved the Senate adopt the Conference Committee Report on **HB 2090**.

On roll call, the vote was: Yeas 37; Nays 3; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Baumgardner, Pyle, Tyson.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2093** 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 35, by inserting:

"Sec. 2. K.S.A. 12-2624 is hereby amended to read as follows: 12-2624. In addition to the fees required to be paid in K.S.A. ~~12-2622~~ 12-2623, and amendments thereto, and as a condition precedent to the continuation of the certificate of authority provided in this act, all group-funded pools shall pay ~~no~~ not later than 90 days after the end of each ~~fiscal~~ calendar year a tax upon the annual Kansas gross premium collected by the pool at the rate of 1% per annum applied to the collective premium relating to all Kansas members of the pool for the preceding ~~fiscal~~ calendar year. In the computation of the tax, all pools shall be entitled to deduct any annual Kansas gross premiums returned on account of cancellation or dividends returned to members of such pools or expenditures used for the purchase of specific and aggregate excess insurance, as provided in ~~subsection (h)~~ of K.S.A. 12-2618~~(h)~~, and amendments thereto.

Sec. 3. K.S.A. 40-1709 is hereby amended to read as follows: 40-1709. (a) (1) Except as provided in paragraph (2), whenever a municipality provides for the payment of premiums for any health benefit plan for its firefighters, it shall pay premiums for the continuation of coverage under COBRA for the surviving spouse and eligible dependent children under the age of 26 years of a firefighter who dies in the line of duty. Premiums for continuation of coverage under COBRA shall be paid for 18 months.

(2) A municipality may not be required to pay the premiums described in paragraph (1) for a surviving spouse:

(A) On or after the end of the 18th calendar month after the date of death of the deceased firefighter;

(B) upon the remarriage of the deceased firefighter's surviving spouse; or

(C) upon the deceased firefighter's surviving spouse reaching the age of 65.

(b) For the purposes of this section:

(1) "Firefighter" means an actual member of an organized fire department, of a municipality, whether regular or volunteer.

(2) "Health benefit plan" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 40-4602, and amendments thereto.

(3) "Municipality" means a city, county, fire district or township.

(4) ~~"Postsecondary educational institution" shall have the meaning ascribed to it in K.S.A. 74-3201b, and amendments thereto."~~

On page 2, in line 5, by striking "fiscal" and inserting "calendar"; in line 7, by striking "fiscal" and inserting "calendar"; in line 13, after the comma by inserting "12-

2624, 40-1709, "; in line 15, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the first "pools" by inserting "and certain municipal insurance coverage"; in line 6, after the semicolon by inserting "adjusting the basis upon which certain premium tax calculations are made; requiring such premium taxes to be paid 90 days after each calendar year and basing such premium taxes upon the gross premiums collected for the previous calendar year; adding fire districts to the definition of "municipality" for purposes of the payment of COBRA premiums under certain circumstances;"; also in line 6, after "K.S.A." by inserting "12-2624, 40-1709 and"; in line 7, by striking "section" and inserting "sections";

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

JEFF LONGBINE

MICHAEL FAGG

CINDY HOLSCHER

Conferees on part of Senate

BILL SUTTON

PATRICK PENN

CINDY NEIGHBOR

Conferees on part of House

Senator Longbine moved the Senate adopt the Conference Committee Report on **HB 2093**.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claey's, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2130** 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 4, by inserting:

"Sec. 2. K.S.A. 2022 Supp. 59-618a is hereby amended to read as follows: 59-618a.

(a) Any person possessing a decedent's will may file in the district court of the county of the decedent's last residence the decedent's will or a copy of such will and an affidavit ~~which~~ that complies with subsection (b).

(b) (1) An affidavit filed pursuant to this section shall state:

~~(1)~~ (A) The name, residence address and date and place of death of the decedent;

~~(2)~~ (B) the names, addresses and relationships of all the decedent's heirs, legatees and devisees which are known to the affiant after a diligent search and inquiry;

~~(3)~~(C) the name and address of any trustee of any trust established under the will;
~~(4)~~(D) that the will is being filed with the district court for the purpose of preserving it for record in the event that probate proceedings are later required; and
~~(5)~~(E) that a copy of the affidavit and will has been mailed to each heir, legatee and devisee named in the affidavit.

(2) An affidavit filed pursuant to this section on or after July 1, 2023, shall state whether the original will or a copy of such will is being filed with the court.

(c) Any will or copy of a will filed pursuant to this section within a period of six months after the death of the testator may be admitted to probate after such six-month period.";

On page 11, in line 41, after "59-403," by inserting "59-618a,";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after the semicolon by inserting "permitting a copy of a will to be filed and admitted to probate;"; in line 14, after "59-403," by inserting "59-618a,";

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

KELLIE WARREN

RICK WILBORN

ETHAN CORSON

Conferees on part of Senate

FRED PATTON

MARK SCHREIBER

JOHN CARMICHAEL

Conferees on part of House

Senator Warren moved the Senate adopt the Conference Committee Report on **HB 2130**.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2131** 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 4, by inserting:

"Section 1. K.S.A. 2022 Supp. 20-362 is hereby amended to read as follows: 20-362. The clerk of the district court shall remit all revenues received from docket fees as follows:

(a) At least monthly to the county treasurer, for deposit in the county treasury and credit to the county general fund:

(1) A sum equal to \$10 for each docket fee paid pursuant to K.S.A. 60-2001 and 60-3005, and amendments thereto, during the preceding calendar month;

(2) a sum equal to \$10 for each \$46 or \$76 docket fee paid pursuant to K.S.A. 61-4001, or K.S.A. 61-2704 or 61-2709, and amendments thereto; and

(3) a sum equal to \$5 for each \$26 docket fee paid pursuant to K.S.A. 61-4001 or K.S.A. 61-2704, and amendments thereto, during the preceding calendar month.

(b) At least monthly to the board of trustees of the county law library fund, for deposit in the fund, a sum equal to the library fees paid during the preceding calendar month for cases filed in the county.

(c) At least monthly to the county treasurer, for deposit in the county treasury and credit to the prosecuting attorneys' training fund, a sum equal to \$2 for each docket fee paid pursuant to K.S.A. 28-172a, and amendments thereto, during the preceding calendar month for cases filed in the county and a sum equal to \$1 for each fee paid pursuant to K.S.A. 28-170(c), and amendments thereto, during the preceding calendar month for cases filed in the county.

(d) To the state treasurer, in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, for deposit in the state treasury and credit to the law enforcement training center fund a sum equal to \$15 for each docket fee paid pursuant to K.S.A. 28-172a, and amendments thereto, during the preceding calendar month.

(e) To the state treasurer, in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, for deposit in the state treasury a sum equal to the balance ~~which that~~ remains from all docket fees paid during the preceding calendar month after deduction of the amounts specified in subsections (a), (b), (c) and (d). ~~Of the balance remitted to the state treasury pursuant to this subsection, the state treasurer shall credit 0.99% to the judicial council fund.~~ During the fiscal year ending June 30, 2022, and each fiscal year thereafter, of the remainder, the state treasurer shall deposit and credit the first \$1,500,000 to the electronic filing and management fund created in K.S.A. 2022 Supp. 20-1a20, and amendments thereto. ~~Of the balance which that~~ remains after deduction of the amounts specified in this subsection, the state treasurer shall deposit and credit the remainder to the state general fund.";

Also on page 1, following line 14, by inserting:

"Sec. 3. K.S.A. 2022 Supp. 20-2207 is hereby amended to read as follows: 20-2207. (a) The judicial council may fix, charge and collect fees for sale and distribution of legal publications in order to recover direct and indirect costs incurred for preparation, publication and distribution of legal publications. The judicial council may request and accept gifts, grants and donations from any person, firm, association or corporation or from the federal government or any agency thereof for preparation, publication or distribution of legal publications.

(b) The publications fee fund of the judicial council ~~which that~~ was established in the state treasury pursuant to appropriation acts is hereby continued in existence and shall be administered by the judicial council. Revenue from the ~~following sources fees collected under this section~~ shall be deposited in the state treasury and credited to ~~such fund~~:

(1) ~~All moneys received by or for the judicial council from fees collected under this section; and~~

(2)— the state general fund. All moneys received as gifts, grants or donations for preparation, publication or distribution of legal publications shall be deposited in the state treasury and credited to the publications fee fund.

(c) Moneys deposited in the publications fee fund of the judicial council may be expended for operating expenditures related to preparation, publication and distribution of legal publications of the judicial council and for operating expenses that are not related to publication activities.

(d) All expenditures from the publications 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 chairperson of the judicial council or the chairperson's designee.

Sec. 4. K.S.A. 2022 Supp. 20-2208 is hereby amended to read as follows: 20-2208. ~~There is hereby established in the state treasury the judicial council fund. All expenditures from the judicial council 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 chairperson of the Kansas judicial council or by a person or persons designated by the chairperson of the Kansas judicial council.~~ On July 1, 2023, the director of accounts and reports shall transfer all moneys in the judicial council fund to the state general fund. On July 1, 2023, all liabilities of the judicial council fund are hereby transferred to and imposed on the state general fund, and the judicial council fund is hereby abolished.";

Also on page 1, in line 15, by striking "is" and inserting "and K.S.A. 2022 Supp. 20-362, 20-2207 and 20-2208 are"; in line 17, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, after the second semicolon by inserting "abolishing the judicial council fund; transferring all moneys and liabilities of such fund to the state general fund; eliminating the transfer of funds from docket fees to the judicial council fund; transferring annually unencumbered funds from the publications fee fund to the state general fund;"; in line 2, after "and" by inserting "K.S.A. 2022 Supp. 20-362, 20-2207 and 20-2208 and"; also in line 2, by striking "section" and inserting "sections";

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

KELLIE WARREN

RICK WILBORN

ETHAN CORSON

Conferees on part of Senate

FRED PATTON

MARK SCHREIBER

JOHN CARMICHAEL

Conferees on part of House

Senator Warren moved the Senate adopt the Conference Committee Report on **HB 2131**.

On roll call, the vote was: Yeas 37; Nays 3; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Pyle, Steffen, Tyson.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2216** submits the following report:

The Senate recedes from all of its amendments to the bill.

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

KELLIE WARREN

RICK WILBORN

ETHAN CORSON

Conferees on part of Senate

FRED PATTON

MARK SCHREIBER

JOHN CARMICHAEL

Conferees on part of House

Senator Warren moved the Senate adopt the Conference Committee Report on **HB 2216**.

On roll call, the vote was: Yeas 34; Nays 6; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Sykes, Ware, Warren, Wilborn.

Nays: Doll, Shallenburger, Steffen, Straub, Thompson, Tyson.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2100** 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 THOMPSON

RICK KLOOS

Conferees on part of Senate

BILL SUTTON

PATRICK PENN

Conferees on part of House

On motion of Senator Thompson the Senate adopted the conference committee report on **HB 2100**, and requested a new conference be appointed.

The President appointed Senators Thompson, Kloos and Holscher as a second Conference Committee on the part of the Senate on **HB 2100**.

On motion of Senator Alley, the Senate recessed until 8:00 p.m.

The Senate met pursuant to recess with President Masterson in the chair.

MESSAGES FROM THE HOUSE

The House adopts the Conference Committee report on **SB 66**.

The House adopts the Conference Committee report on **HB 2020**.

The House adopts the Conference Committee report on **HB 2059**.

The House adopts the Conference Committee report on **HB 2147**.

The House adopts the Conference Committee report on **HB 2279**.

The House adopts the Conference Committee report on **HB 2298**.

The House adopts the Conference Committee report on **HB 2335**.

The House adopts the Conference Committee report on **HB 2346**.

The House adopts the Conference Committee report to agree to disagree on **HB 2100**, and has appointed Representatives Hoheisel, Clifford and Xu as second conferees on the part of the House.

The House adopts the Conference Committee report to agree to disagree on **SB 14**, and has appointed Representatives Proctor, Waggoner and Woodard as second conferees on the part of the House.

The House adopts the Conference Committee report to agree to disagree on **H Sub SB 83**, and has appointed Representatives Williams, K., Landwehr and Winn as second conferees on the part of the House.

The House adopts the Conference Committee report to agree to disagree on **H Sub SB 169**, and has appointed Representatives Smith, A., Bergkamp and Sawyer as second conferees on the part of the House.

The House adopts the Conference Committee report to agree to disagree on **SB 228**, and has appointed Representatives Owens, Smith, E. and Highberger as second conferees on the part of the House.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 14** 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.

PAT PROCTOR

PAUL WAGGONER

Conferees on part of House

MIKE THOMPSON

RICK KLOOS

Conferees on part of Senate

On motion of Senator Thompson the Senate adopted the conference committee report on **SB 14**, and requested a new conference be appointed.

The President appointed Senators Thompson, Kloos and Faust Goudeau as a second Conference Committee on the part of the Senate on **SB 14**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 83** 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.

KRISTY WILLIAMS
BRENDA LANDWWEHR
VALDENIA WINN
Conferees on part of House

MOLLY BAUMGARDNER
RENEE ERICKSON
DINAH SYKES
Conferees on part of Senate

On motion of Senator Baumgardner the Senate adopted the conference committee report on **H Sub SB 83**, and requested a new conference be appointed.

The President appointed Senators Baumgardner, Erickson and Sykes as a second Conference Committee on the part of the Senate on **H Sub SB 83**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 169** 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.

ADAM SMITH
BRIAN BERGKAMP
TOM SAWYER
Conferees on part of House

CARYN TYSON
VIRGIL PECK
Conferees on part of Senate

On motion of Senator Tyson the Senate adopted the conference committee report on **H Sub SB 169**, and requested a new conference be appointed.

The President appointed Senators Tyson, Peck and Holland as a second Conference Committee on the part of the Senate on **H Sub SB 169**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 228** 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.

STEPHEN OWENS
ERIC SMITH
BOOG HIGHBERGER
Conferees on part of House

KELLIE WARREN
RICK WILBORN
ETHAN CORSON
Conferees on part of Senate

On motion of Senator Alley the Senate adopted the conference committee report on **SB 228**, and requested a new conference be appointed.

The President appointed Senators Warren, Wilborn and Corson as a second Conference Committee on the part of the Senate on **SB 228**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 66** 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, in line 6, before "Section" by inserting "New";

On page 14, following line 25, by inserting:

"Sec. 2. K.S.A. 2022 Supp. 48-3406 is hereby amended to read as follows: 48-3406. (a) For the purposes of this section:

(1) "Applicant" means an individual who is a military spouse, military servicemember or an individual who has established or intends to establish residency in this state. ~~"Applicant" with respect to law enforcement certification by the Kansas commission on peace officers' standards and training means an applicant who has met the employment requirement pursuant to K.S.A. 74-5605(a), and amendments thereto.~~

(2) "Complete application" means the licensing body has received all forms, fees, documentation, a signed affidavit stating that the application information, including necessary prior employment history, is true and accurate and any other information required or requested by the licensing body for the purpose of evaluating the application, consistent with this section and the rules and regulations adopted by the licensing body pursuant to this section. If the licensing body has received all such forms, fees, documentation and any other information required or requested by the licensing body, an application shall be deemed to be a complete application even if the licensing body has not yet received a criminal background report from the Kansas bureau of investigation.

(3) "Electronic credential" or "electronic certification, license or registration" means an electronic method by which a person may display or transmit to another person information that verifies the status of a person's certification, licensure, registration or permit as authorized by a licensing body and is equivalent to a paper-based certification, license, registration or permit.

(4) "Licensing body" means an official, agency, board or other entity of the state ~~which that~~ authorizes individuals to practice a profession in this state and issues a license, registration, certificate, permit or other authorization to an individual so authorized.

(4)(5) "Military servicemember" means a current member of any branch of the United States armed services, United States military reserves or national guard of any state or a former member with an honorable discharge.

(5)(6) "Military spouse" means the spouse of a military servicemember.

(6)(7) "Person" means a natural person.

(8) "Private certification" means a voluntary program in which a private organization grants nontransferable recognition to an individual who meets personal qualifications and standards relevant to performing the occupation as determined by the private organization.

(7)(9) "Scope of practice" means the procedures, actions, processes and work that a person may perform under a government issued license, registration or certification.

(10) "Verification system" means an electronic method by which the authenticity and validity of electronic credentials are verified.

(b) Notwithstanding any other provision of law, any licensing body shall, upon submission of a complete application, issue a paper-based and verified electronic license, registration or certification to an applicant as provided by this section, so that the applicant may lawfully practice the person's occupation. Any licensing body may satisfy any requirement under this section to provide a paper-based license, registration, certification or permit in addition to an electronic license, registration, certification or permit by issuing such electronic credential to the applicant in a format that permits the applicant to print a paper copy of such electronic credential. Such paper copy shall be considered a valid license, registration, certification or permit for all purposes.

(c) An applicant who holds a valid current license, registration or certification in another state, district or territory of the United States shall receive a paper-based and verified electronic license, registration or certification:

(1) If the applicant qualifies under the applicable Kansas licensure, registration or certification by endorsement, reinstatement or reciprocity statutes, then pursuant to applicable licensure, registration or certification by endorsement, reinstatement or reciprocity statutes of the licensing body of this state for the license, registration or certification within 15 days from the date a complete application was submitted if the applicant is a military servicemember or military spouse or within 45 days from the date a complete application was submitted for all other applicants; or

(2) if the applicant does not qualify under the applicable licensure, registration or certification by endorsement, reinstatement or reciprocity statutes of the licensing body of this state, or if the Kansas professional practice act does not have licensure, registration or certification by endorsement, reinstatement or reciprocity statutes, then the applicant shall receive a license, registration or certification as provided herein if, at the time of application, the applicant:

(A) Holds a valid current license, registration or certification in another state, district or territory of the United States with licensure, registration or certification requirements that the licensing body determines authorize a similar scope of practice as those established by the licensing body of this state, or holds a certification issued by another state for practicing the occupation but this state requires an occupational

license, and the licensing body of this state determines that the certification requirements certify a similar scope of practice as the licensing requirements established by the licensing body of this state;

(B) has worked for at least one year in the occupation for which the license, certification or registration is sought;

(C) has not committed an act in any jurisdiction that would have constituted grounds for the limitation, suspension or revocation of the license, certificate or registration, or that the applicant has never been censured or had other disciplinary action taken or had an application for licensure, registration or certification denied or refused to practice an occupation for which the applicant seeks licensure, registration or certification;

(D) has not been disciplined by a licensing, registering, certifying or other credentialing entity in another jurisdiction and is not the subject of an unresolved complaint, review procedure or disciplinary proceeding conducted by a licensing, registering, certifying or other credentialing entity in another jurisdiction nor has surrendered their membership on any professional staff in any professional association or society or faculty for another state or jurisdiction while under investigation or to avoid adverse action for acts or conduct similar to acts or conduct that would constitute grounds for disciplinary action in a Kansas practice act;

(E) does not have a disqualifying criminal record as determined by the licensing body of this state under Kansas law;

(F) provides proof of solvency, financial standing, bonding or insurance if required by the licensing body of this state, but only to the same extent as required of any applicant with similar credentials or experience;

(G) pays any fees required by the licensing body of this state; and

(H) submits with the application a signed affidavit stating that the application information, including necessary prior employment history, is true and accurate.

Upon receiving a complete application and the provisions of subsection (c)(2) apply and have been met by the applicant, the licensing body shall issue the license, registration or certification within 15 days from the date a complete application was submitted by a military servicemember or military spouse, or within 45 days from the date a complete application was submitted by an applicant who is not a military servicemember or military spouse, to the applicant on a probationary basis, but may revoke the license, registration or certification at any time if the information provided in the application is found to be false. The probationary period shall not exceed six months. Upon completion of the probationary period, the license, certification or registration shall become a non-probationary license, certification or registration.

(d) Any applicant who has not been in the active practice of the occupation during the two years preceding the application for which the applicant seeks a license, registration or certification under subsection (c)(2) may be required to complete such additional testing, training, monitoring or continuing education as the Kansas licensing body may deem necessary to establish the applicant's present ability to practice in a manner that protects the health and safety of the public, as provided by subsection (j).

(e) Upon submission of a complete application, an applicant may receive an occupational license, registration or certification based on the applicant's work experience in another state, if the applicant:

(1) Worked in a state that does not use an occupational license, registration,

certification or private certification to regulate an occupation, but this state uses an occupational license, registration or certification to regulate the occupation;

(2) worked for at least three years in the occupation during the four years immediately preceding the application; and

(3) satisfies the requirements of subsection (c)(2)(C) through (H).

(f) Upon submission of a complete application, an applicant may receive an occupational license, registration or certification under subsection (b) based on the applicant's holding of a private certification and work experience in another state, if the applicant:

(1) Holds a private certification and worked in a state that does not use an occupational license or government certification to regulate an occupation, but this state uses an occupational license or government certification to regulate the occupation;

(2) worked for at least two years in the occupation;

(3) holds a current and valid private certification in the occupation;

(4) is held in good standing by the organization that issued the private certification;

and

(5) satisfies the requirements of subsection (c)(2)(C) through (H).

(g) An applicant licensed, registered or certified under this section shall be entitled to the same rights and subject to the same obligations as are provided by the licensing body for Kansas residents, except that revocation or suspension of an applicant's license, registration or certificate in the applicant's state of residence or any jurisdiction in which the applicant held a license, registration or certificate shall automatically cause the same revocation or suspension of such applicant's license, registration or certificate in Kansas. No hearing shall be granted to an applicant where such applicant's license, registration or certificate is subject to such automatic revocation or suspension, except for the purpose of establishing the fact of revocation or suspension of the applicant's license, registration or certificate by the applicant's state of residence or jurisdiction in which the applicant held a license, registration or certificate.

(h) In the event the licensing body determines that the license, registration or certificate currently held by an applicant under subsection (c)(2) or the work experience or private credential held by an applicant under subsections (e) or (f), who is a military spouse or military servicemember does not authorize a similar scope of practice as the license, registration or certification issued by the licensing body of this state, the licensing body shall issue a temporary permit for a limited period of time to allow the applicant to lawfully practice the applicant's occupation while completing any specific requirements that are required in this state for licensure, registration or certification that were not required in the state, district or territory of the United States in which the applicant was licensed, registered, certified or otherwise credentialed, unless the licensing body finds, based on specific grounds, that issuing a temporary permit would jeopardize the health and safety of the public.

(i) In the event the licensing body determines that the license, registration or certification currently held by an applicant under subsection (c)(2) or the work experience or private credential held by an applicant under subsections (e) or (f), who is not a military spouse or military servicemember, does not authorize a similar scope of practice as the license, registration or certification issued by the licensing body of this state, the licensing body may issue a temporary permit for a limited period of time to allow the applicant to lawfully practice the applicant's occupation while completing any

specific requirements that are required in this state for licensure, registration or certification that was not required in the state, district or territory of the United States in which the applicant was licensed, registered, certified or otherwise credentialed, unless the licensing body finds, based on specific grounds, that issuing a temporary permit would jeopardize the health and safety of the public.

(j) Any testing, continuing education or training requirements administered under subsection (d), (h) or (i) shall be limited to Kansas law that regulates the occupation and that are materially different from or additional to the law of another state, or shall be limited to any materially different or additional body of knowledge or skill required for the occupational license, registration or certification in Kansas.

(k) A licensing body may grant licensure, registration, certification or a temporary permit to any person who meets the requirements under this section but was separated from such military service under less than honorable conditions or with a general discharge under honorable conditions.

(l) Nothing in this section shall be construed to apply in conflict with or in a manner inconsistent with federal law or a multistate compact, or a rule or regulation or a reciprocal or other applicable statutory provision that would allow an applicant to receive a license. Nothing in this section shall be construed as prohibiting a licensing body from denying any application for licensure, registration or certification, or declining to grant a temporary or probationary license, if the licensing body determines that granting the application may jeopardize the health and safety of the public.

(m) Nothing in this section shall be construed to be in conflict with any applicable Kansas statute defining the scope of practice of an occupation. The scope of practice as provided by Kansas law shall apply to applicants under this section.

(n) Notwithstanding any other provision of law, during a state of emergency declared by the legislature, a licensing body may grant a temporary emergency license to practice any profession licensed, certified, registered or regulated by the licensing body to an applicant whose qualifications the licensing body determines to be sufficient to protect health and safety of the public and may prohibit any unlicensed person from practicing any profession licensed, certified, registered or regulated by the licensing body.

(o) Not later than January 1, 2025, licensing bodies may shall provide paper-based and verified electronic credentials to persons regulated by the licensing body. ~~For purposes of this subsection, "electronic credential" means an electronic method by which a person may display or transmit to another person information that verifies a person's certification, licensure, registration or permit.~~ A licensing body may prescribe the format or requirements of the electronic credential to be used by the licensing body. Any statutory or regulatory requirement to display, post or produce a credential issued by a licensing body may be satisfied by the proffer of an electronic credential authorized by the licensing body. A licensing body may use a third-party electronic credential system that is not maintained by the licensing body.

(p) On or before January 1, 2025, and subject to appropriations therefore, the secretary of administration shall develop and implement a uniform or singular license verification portal for the purpose of verifying or reporting license statuses such as credentials issued, renewed, revoked or suspended by licensing bodies or that have expired or otherwise changed in status. The secretary of administration may utilize the services or facilities of a third party for the central electronic record system. The central

electronic record system shall comply with the requirements adopted by the information technology executive council pursuant to K.S.A. 75-7203, and amendments thereto. Beginning January 1, 2025, each licensing body shall be able to integrate with the uniform or singular license verification portal in the manner and format required by the secretary of administration indicating any issuance, renewal, revocation, suspension, expiration or other change in status of an electronic credential that has occurred. No charge for the establishment or maintenance of the uniform or singular license verification portal shall be imposed on any licensing body or any person with a license, registration, certification or permit issued by a licensing body. ~~Such electronic credential system~~ The centralized electronic credential data management systems shall include ~~a~~ an instantaneous verification system that is operated by the licensing body or its licensing body's respective secretary, or the secretary's designee, or the secretary's third-party agent on behalf of the licensing body for the purpose of instantly verifying the authenticity and validity of electronic credentials issued by the licensing body. Centralized electronic credential data management systems shall maintain an auditable record of credentials issued by each licensing body.

(q) Nothing in this section shall be construed as prohibiting or preventing a licensing body from developing, operating, maintaining or using a separate electronic credential system of the licensing body or of a third party in addition to making the reports to the central electronic record system required by subsection (p) or participating in a multistate compact or a reciprocal licensure, registration or certification process as long as the separate electronic credential system of the licensing body integrates with the uniform or singular license verification portal.

~~(p)~~(r) Each licensing body shall adopt rules and regulations necessary to implement and carry out the provisions of this section.

~~(e)~~(s) This section shall not apply to the practice of law or the regulation of attorneys pursuant to K.S.A. 7-103, and amendments thereto, or to the certification of law enforcement officers pursuant to the Kansas law enforcement training act, K.S.A. 74-5601 et seq., and amendments thereto.

~~(r)~~(t) The state board of healing arts 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, may deny an application for licensure, registration or certification, or decline to grant a temporary or probationary license, if the board determines the applicant's qualifications are not substantially equivalent to those established by the board. Such boards shall not otherwise be exempt from the provisions of this act.

~~(s)~~(u) This section shall apply to all licensing bodies not excluded under subsection ~~(q)~~ (s), including, but not limited to:

- (1) The abstracters' board of examiners;
- (2) the board of accountancy;
- (3) the board of adult care home administrators;
- (4) the secretary for aging and disability services, with respect to K.S.A. 65-5901 et seq. and K.S.A. 65-6503 et seq., and amendments thereto;
- (5) the Kansas board of barbering;
- (6) the behavioral sciences regulatory board;
- (7) the Kansas state board of cosmetology;
- (8) the Kansas dental board;

- (9) the state board of education;
- (10) the Kansas board of examiners in fitting and dispensing of hearing instruments;
- (11) the board of examiners in optometry;
- (12) the state board of healing arts, as provided by subsection ~~(t)~~ (t);
- (13) the secretary of health and environment, with respect to K.S.A. 82a-1201 et seq., and amendments thereto;
- (14) the commissioner of insurance, with respect to K.S.A. 40-241 and 40-4901 et seq., and amendments thereto;
- (15) the state board of mortuary arts;
- (16) the board of nursing;
- (17) the state board of pharmacy;
- (18) the Kansas real estate commission;
- (19) the real estate appraisal board;
- (20) the state board of technical professions, as provided by subsection ~~(t)~~ (t); and
- (21) the state board of veterinary examiners.

~~(v)~~ (v) All proceedings pursuant to this section 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.

~~(w)~~ (w) Commencing on July 1, 2021, and each year thereafter, each licensing body listed in subsection ~~(s)~~ (s) ~~(u)~~ (u) (1) through (21) shall provide a report for the period of July 1 through June 30 to the director of legislative research by August 31 of each year, providing information requested by the director of legislative research to fulfill the requirements of this subsection. The director of legislative research shall develop the report format, prepare an analysis of the reports and submit and present the analysis to the office of the governor, the committee on commerce, labor and economic development of the house of representatives, the committee on commerce of the senate, the committee on appropriations of the house of representatives and the committee on ways and means of the senate by January 15 of the succeeding year. The director's report may provide any analysis the director deems useful and shall provide the following items, detailed by applicant type, including military servicemember, military spouse and non-military individual:

- (1) The number of applications received under the provisions of this section;
- (2) the number of applications granted under this section;
- (3) the number of applications denied under this section;
- (4) the average time between receipt of the application and completion of the application;
- (5) the average time between receipt of a complete application and issuance of a license, certification or registration; and
- (6) identification of applications submitted under this section where the issuance of credentials or another determination by the licensing body was not made within the time limitations pursuant to this section and the reasons for the failure to meet such time limitations.

All information shall be provided by the licensing body to the director of legislative research in a manner that maintains the confidentiality of all applicants and in aggregate form that does not permit identification of individual applicants.

Sec. 3. K.S.A. 2022 Supp. 48-3406 is hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "education" and inserting "occupational licensure"; in line 3, after "states" by inserting "; requiring that licensing bodies provide verified electronic credentials, in addition to paper-based credentials, to all credential holders, including military servicemembers and others receiving Kansas credentials based on their credentials from other jurisdictions; requiring licensing bodies to use centralized electronic credential data management systems capable of providing instantaneous credential verification; mandating that such systems maintain an auditable record; excepting certification of law enforcement officers from such electronic credential requirements and other provisions; amending K.S.A. 2022 Supp. 48-3406 and repealing the existing section";

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

ADAM THOMAS

SUSAN ESTES

JERRY STOGSDILL

Conferees on part of House

MOLLY BAUMGARDNER

RENEE ERICKSON

DINAH SYKES

Conferees on part of Senate

Senator Baumgardner moved the Senate adopt the Conference Committee Report on **SB 66**.

On roll call, the vote was: Yeas 37; Nays 3; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Pyle, Steffen, Tyson.

The Conference Committee Report was adopted.

REPORTS OF STANDING COMMITTEES

Committee on **Financial Institutions and Insurance** recommends **HB 2133** be amended on page 1, by striking all in lines 8 through 36;

On page 2, by striking all in lines 1 through 37; following line 37, by inserting:

"Section 1. K.S.A. 9-2307 is hereby amended to read as follows: 9-2307. (a) A fiduciary financial institution shall make a report to the commissioner pursuant to the provisions of K.S.A. 9-1704, and amendments thereto. In making such a report, a fiduciary financial institution shall:

(1) Report the fiduciary financial institution's fidfin transactions pursuant to generally accepted accounting principles; and

(2) calculate such fiduciary financial institution's capital solvency by including the value of all tangible and intangible assets owned by the fiduciary financial institution, regardless of use.

(b) In examining a fiduciary financial institution, the state banking board and the commissioner shall:

(1) Consider that the collateral or underlying assets associated with fidfin transactions are volatile in nature and that such volatility has been accepted by the members and customers of the fiduciary financial institution;

(2) respect the form, treatment and character of fidfin transactions under the laws of this state notwithstanding the treatment or characterization of such transactions under generally accepted accounting principles or for tax purposes;

(3) evaluate whether available capital, including the agreement of a fiduciary financial institution's members to contribute capital pursuant to K.S.A. 9-2305, and amendments thereto, exceeds the fiduciary financial institution's obligations, determined in accordance with generally accepted accounting principles;

(4) evaluate the background and qualifications of a fiduciary financial institution's executive officers and directors, the internal controls and audit processes enacted by the fiduciary financial institution and adherence to its policies and procedures;

(5) evaluate the profitability of a fiduciary financial institution in accordance with subsection (c);

(6) evaluate a fiduciary financial institution's compliance with applicable state and federal laws; and

(7) evaluate a fiduciary financial institution's information technology systems, policies and practices.

(c) Profitability shall not be a consideration in evaluating a fiduciary financial institution if sufficient capital and equity exist in the business, including, without limitation, membership capital, surplus, undivided profits and commitments by members to contribute additional capital to the fiduciary financial institution pursuant to K.S.A. 9-2305, and amendments thereto, to satisfy the fiduciary financial institution's obligations.

(d) A fiduciary financial institution shall be overseen, supervised and examined by the office of the state bank commissioner as a chartered trust company as defined in K.S.A. 9-701, and amendments thereto, exercising fiduciary powers and engaging in trust business pursuant to K.S.A. 9-2310, and amendments thereto, and rules and regulations adopted pursuant to state law by such office and shall be designated, recognized and referenced as a chartered trust company as defined in K.S.A. 9-701, and amendments thereto, by the office of the state bank commissioner without exception.

Sec. 2. K.S.A. 9-2308 is hereby amended to read as follows: 9-2308. A fiduciary financial institution may use in such fiduciary financial institution's business name or advertising the words "fiduciary financial institution" or any similar term or phrase, but may not use 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, unless the commissioner has approved the use in writing after finding that the use will not be misleading. A fiduciary financial institution is a chartered trust company as defined in K.S.A. 9-701, and amendments thereto, for all purposes under federal and state law as if authorized under K.S.A. 9-804(c), and amendments thereto. 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 business 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 on the business name 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. Nothing in this section or K.S.A. 9-2011, and amendments thereto, shall restrict a fiduciary financial institution from publishing or promulgating itself as a trust company as defined in K.S.A. 9-701, and amendments thereto, in legal or regulatory filings or disclosures to existing or prospective customers or investors.

Sec. 3. K.S.A. 9-2310 is hereby amended to read as follows: 9-2310. Any fiduciary financial institution is hereby authorized to exercise by its board of directors or duly authorized officers or agents, subject to law, the following powers:

(a) To engage in fidfin transactions in accordance with K.S.A. 9-2311, and amendments thereto;

(b) to receive, retain and manage alternative asset custody accounts in accordance with K.S.A. 9-2313, and amendments thereto; ~~and~~

(c) to exercise fiduciary powers and full trust powers and to engage as a trust company in trust business as defined in K.S.A. 9-701, and amendments thereto, ~~as incidental to and any other applicable federal or state law or rules and regulations, in any manner that assists in the performance of~~ the activities in subsections (a) and (b); and

(d) to publish and promulgate itself as a chartered trust company as defined in K.S.A. 9-701, and amendments thereto, in legal or regulatory filings or disclosures to existing or prospective customers or investors, subject only to the restriction on the business name as provided in K.S.A. 9-2308, and amendments thereto.

Sec. 4. K.S.A. 9-2307, 9-2308 and 9-2310 are hereby repealed.";

Also on page 2, 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 "payments made with"; by striking all in lines 2 through 4; in line 5, by striking all before the period and inserting "the technology-enabled fiduciary financial institutions act; providing that fiduciary financial institutions shall be overseen, supervised and examined by the office of the state bank commissioner as a chartered trust company; allowing a fiduciary financial institution to publish or promulgate itself as a trust company in legal or regulatory filings or in disclosures to existing or prospective customers or investors; authorizing a fiduciary financial institution to exercise fiduciary powers and full trust powers and to engage as a trust company under state and federal law; amending K.S.A. 9-2307, 9-2308 and 9-2310 and repealing the existing sections"; and the bill be passed as amended.

Committee on **Ways and Means** recommends **SB 152** be amended on page 1, by striking all in lines 13 through 36;

By striking all on pages 2 and 3;

On page 4, by striking all in lines 1 through 16; following line 16, by inserting:

"New Section 1. (a) There is created the legislative compensation commission consisting of nine members as follows:

(1) One member appointed by the speaker of the house of representatives. Such member appointed by the speaker shall be a former member of the legislature;

(2) one member appointed by the president of the senate. Such member appointed by the president shall be a former member of the legislature;

(3) one member appointed by the speaker pro tempore of the house of representatives;

(4) one member appointed by the vice president of the senate;

(5) one member appointed by the majority leader of the house of representatives;

(6) one member appointed by the majority leader of the senate;

(7) one member appointed by the minority leader of the house of representatives;

(8) one member appointed by the minority leader of the senate; and

(9) one member appointed by the governor.

(b) The initial member appointed by the speaker shall be appointed prior to August 1, 2023. All other initial members shall be appointed prior to September 1, 2023.

(c) No person shall be appointed to the commission who is a current member of the legislature, a current employee of the legislature or a registered lobbyist.

(d) The member appointed by the speaker shall serve as the first chairperson of the commission. The member appointed by the president shall serve as the first vice chairperson of the commission. Thereafter, the next chairperson to be appointed prior to August 1, 2026, shall be appointed by the president and the next vice chairperson to be appointed prior to September 1, 2026, shall be appointed by the speaker. The authority to appoint the chairperson and vice chairperson for future commissions shall alternate between the speaker and the president in similar manner as for the original appointments. Vacancies shall be filled in the same manner as for the original appointments.

(e) Any member of the commission shall be eligible for reappointment.

(f) The term of each appointment to the commission shall end upon the completion of the responsibilities of the commission pursuant to subsections (h) and (i).

(g) The commission shall meet upon call of the chairperson. A majority of the members of the commission shall constitute a quorum for the transaction of any business of the commission. Any action taken by the commission shall be by majority vote of the members present.

(h) The legislative compensation commission shall:

(1) Make a comprehensive study of the compensation, salary and retirement benefits of the members of the legislature;

(2) set the rates of compensation and salary for members of the legislature to be effective as provided in subsection (i) and for state officials as provided in subsection (j); and

(3) make recommendations related to retirement benefits for members of the legislature.

(i) In 2023, the legislative compensation commission shall establish the rate of compensation and salary for services rendered by members of the legislature during the four-year period that commences on the first day of the term of office that commences on the first day of the legislative session in January of 2025. Such rate of compensation and salary established by the commission shall be submitted to the legislature on or before December 1, 2023. Such rate of compensation and salary established by the commission shall be the rate of compensation and salary for members of the legislature

unless, prior to 30 days after the commencement of the legislative session next occurring after submission of such established rate of compensation and salary to the legislature, the legislature rejects such rate of compensation and salary by the adoption of a concurrent resolution. In the concurrent resolution that rejects such rate of compensation and salary, the legislature may include a requirement that the legislative compensation commission meet within 14 days after the adoption of the concurrent resolution by the legislature to set another rate of compensation and salary to be submitted to the legislature prior to 30 days after such adoption of the concurrent resolution. The legislature may reject such rate of compensation and salary by the adoption of a concurrent resolution prior to adjournment sine die of that legislative session. In the event of rejection by the legislature of the second rate of compensation and salary set by the commission, the rate of compensation and salary prevailing at the time of the previous session shall remain in effect.

(j) (1) New members of the commission shall be appointed in 2026 and every four years thereafter. The member designated as chairperson of the commission pursuant to subsection (d) shall be appointed prior to August 1 of such year. All other members of the commission shall be appointed prior to September 1 of such year.

(2) Commissions appointed in 2026 and thereafter may meet on call of the chairperson during the calendar year when appointed or the following calendar year. The commission shall set the rate of compensation and salary for members of the legislature and, subject to appropriations therefor, any additional rate of compensation and salary for the governor, attorney general, secretary of state, state treasurer and commissioner of insurance above the salary established in section 2, and amendments thereto, to be effective during the four-year period that commences on the first day of the next commencing term of office of elected senators. The commission shall submit such rate of compensation and salary to the legislature on or before December 1 of the calendar year following the commission's appointment.

(3) The legislature may take such actions as provided in subsection (i) during the legislative session next occurring after the submission of such rate of compensation and salary as provided in paragraph (2).

(k) Members of the commission shall receive compensation, subsistence allowances, mileage and expenses as provided in K.S.A. 75-3223, and amendments thereto, when attending meetings of the commission.

New Sec. 2. (a) Subject to appropriations and except as provided further, on July 1, 2023:

(1) The governor shall receive for services an annual salary equal to the amount of annual rate of pay for a member of congress of the United States, not in a leadership role, on July 1, 2023;

(2) the attorney general shall receive for services an annual salary equal to the amount of annual rate of pay for a member of congress of the United States, not in a leadership role, on July 1, 2023, minus 2.5% of such congressional annual rate of pay; and

(3) the secretary of state, state treasurer and commissioner of insurance shall receive for services an annual salary equal to the amount of annual rate of pay for a member of congress of the United States, not in a leadership role, on July 1, 2023, minus 7.5% of such congressional annual rate of pay.

(b) If, for any reason, such congressional salary is decreased, the salaries

established in this section shall remain the same for the next ensuing fiscal year unless diminished by general law applicable to all salaried officers of the state.

New Sec. 3. (a) Subject to appropriations, on July 1, 2023, the minimum amount of annual salary that the members of the governor's cabinet shall receive for services shall be equal to the amount of annual rate of pay for a member of congress of the United States, not in a leadership role, on July 1, 2023, minus 17.5% of such congressional annual rate of pay.

(b) For the purposes of this section, the members of the governor's cabinet shall be determined by the governor.

New Sec. 4. (a) Subject to appropriations and except as provided further, on July 1, 2023, and each July 1 thereafter:

(1) A district judge who is not a chief judge of a judicial district shall receive for services an annual salary equal to 75% of the annual rate of pay for a district judge of the United States on such date;

(2) a district magistrate judge shall receive for services an annual salary equal to 55% of a district judge's salary as determined pursuant to subsection (a)(1);

(3) a chief judge of the district court shall receive for services an annual salary equal to 105% of a district judge's salary as determined pursuant to subsection (a)(1);

(4) a judge of the court of appeals who is not chief judge of the court of appeals shall receive for services an annual salary equal to 110% of a district judge's salary as determined pursuant to subsection (a)(1);

(5) the chief judge of the court of appeals shall receive for services an annual salary equal to 115% of a district judge's salary as determined pursuant to subsection (a)(1);

(6) a justice of the supreme court who is not chief justice of the supreme court shall receive for services an annual salary equal to 120% of a district judge's salary as determined pursuant to subsection (a)(1); and

(7) the chief justice of the supreme court shall receive for services an annual salary equal to 125% of a district judge's salary as determined pursuant to subsection (a)(1).

(b) If, for any reason, such district judge of the United States salary is decreased, the salaries established in this section shall remain the same for the next ensuing fiscal year unless diminished by general law applicable to all salaried officers of the state.

Sec. 5. K.S.A. 2022 Supp. 20-318 is hereby amended to read as follows: 20-318. (a) There is hereby created within the state of Kansas; a judicial department for the supervision of all courts in the state of Kansas. The supreme court shall divide the state into separate sections, not to exceed six in number, to be known as judicial departments, each of which shall be assigned a designation to distinguish it from the other departments. A justice of the supreme court shall be assigned as departmental justice for each judicial department.

(b) There is created hereby the position of judicial administrator of the courts, who shall be appointed by the chief justice of the supreme court to serve at the will of the chief justice. The judicial administrator shall have a broad knowledge of judicial administration and substantial prior experience in an administrative capacity. No person appointed as judicial administrator shall engage in the practice of law while serving in such capacity. Compensation of the judicial administrator shall be determined by the justices, ~~but shall not exceed the salary authorized by law for the judge of the district court.~~ The judicial administrator shall be responsible to the chief justice of the supreme court of the state of Kansas; and shall implement the policies of the court with respect to

the operation and administration of the courts, subject to the provisions of K.S.A. 2022 Supp. 20-384, and amendments thereto, under the supervision of the chief justice. The administrator shall perform such other duties as are provided by law or assigned by the supreme court or the chief justice.

(c) Expenditures from appropriations for district court operations to be paid by the state shall be made on vouchers approved by the judicial administrator. All claims for salaries, wages or other compensation for district court operations to be paid by the state shall be certified as provided in K.S.A. 75-3731, and amendments thereto, by the judicial administrator.

Sec. 6. K.S.A. 20-2616 is hereby amended to read as follows: 20-2616. (a) Any retired justice of the supreme court, retired judge of the court of appeals, retired district judge or retired associate district judge may be designated and assigned to perform such judicial service and duties as such retired justice or judge is willing to undertake. Designation and assignment of a retired justice or judge in connection with any matter pending in the supreme court shall be made by the supreme court. Designation and assignment of a retired justice or judge in connection with any matter pending in any other court, including any court located within the judicial district in which the justice or judge resides, or to perform any other judicial service or duties shall be made by the chief justice of the supreme court. Any such judicial service or duties shall include necessary preparation and other out-of-court judicial service for hearings or for deciding matters or cases in conjunction with the judicial services and duties assigned under this section. Any designation and assignment may be revoked in the same manner and all such designations and assignments and revocations shall be filed of record in the office of the clerk of the court to which such assignment is made.

(b) A retired justice or judge so designated and assigned to perform judicial service or duties shall have the power and authority to hear and determine all matters covered by the assignment.

(c) Except as otherwise provided in this section, each retired justice or judge who performs judicial service or duties under this section shall receive: (1) Per diem compensation at the rate of per diem compensation in effect under K.S.A. 46-137a, and amendments thereto; (2) a per diem subsistence allowance at the per diem subsistence allowance rate in effect under K.S.A. 46-137a, and amendments thereto; (3) a mileage allowance at the rate fixed under K.S.A. 75-3203a, and amendments thereto; and (4) all actual and necessary expenses for other than subsistence or travel, including necessary stenographic assistance, as may be incurred in performing such service or duties.

(d) No retired justice or judge shall be entitled to receive per diem compensation under this section for any day in a fiscal year after the date that the total of (1) the amount of per diem compensation earned under this section during that fiscal year and (2) the amount of the retirement annuity payable to such retired justice or judge for that fiscal year under the retirement system for judges, becomes equal to or more than the amount of the current annual salary of a district judge paid by the state under ~~K.S.A. 75-3420g~~ section 4, and amendments thereto, but such retired justice or judge shall receive the subsistence allowance, mileage allowance and actual and necessary expenses as provided under this section after such date.

(e) As used in this section, a retired justice or judge shall not include those justices or judges who were not retained in office, were not reelected to office, have been impeached from office or removed by the supreme court from office.

Sec. 7. K.S.A. 22a-105 is hereby amended to read as follows: 22a-105. Each of the district attorneys elected under this act shall receive an annual salary in the amount of no less than the salary provided for district judges in ~~K.S.A. 75-3120g~~ section 4, and amendments thereto. The salary of each district attorney shall be paid by the county comprising the judicial district in which the district attorney is elected in equal monthly installments and in the manner county officers and employees are paid. The district attorneys and their deputies and assistants shall be reimbursed for their actual travel and subsistence expenses incurred while in the performance of their official duties within or without the district.

Sec. 8. K.S.A. 40-102 is hereby amended to read as follows: 40-102. There is hereby established a department to be known as the insurance department, ~~which and such department~~ shall have a chief officer entitled the commissioner of insurance ~~who shall receive, except as otherwise provided in K.S.A. 75-3111a, and amendments thereto, a salary at a biweekly pay rate of \$3,307.81, and such officer. The commissioner of insurance~~ shall be charged with the administration of all laws relating to insurance, insurance companies and fraternal benefit societies doing business in this state; and all other duties ~~which that~~ are or may be imposed upon such officer by law.

Sec. 9. K.S.A. 75-3103 is hereby amended to read as follows: 75-3103. (a) The lieutenant governor shall receive, as reimbursement for expenses ~~the following: (1) Biweekly the sum of \$76.91, except as otherwise provided in subsection (e), and (2)~~ when attending the duties of office or attending any authorized meeting, in addition to other provisions of this section, travel expenses and subsistence expenses and allowances in amounts equal to those provided for by K.S.A. 75-3212, and amendments thereto.

(b) ~~In addition to any other compensation provided by law and except as otherwise provided in K.S.A. 75-3111a, and amendments thereto, the lieutenant governor shall also receive for services in the performance of duties imposed by law compensation at the biweekly pay rate of \$1,204.35~~ an annual salary equal to 25% of the amount of annual rate of pay for a member of congress of the United States, not in a leadership role, on July 1, 2023. While acting as governor, the lieutenant governor shall receive the same salary as the governor. The lieutenant governor may appoint an administrative assistant and ~~other office and stenographic~~ employees, all of whom shall be in the unclassified service of the Kansas civil service act. Such administrative assistant shall receive travel expenses and subsistence expenses or allowances as provided by K.S.A. 75-3212, and amendments thereto, when traveling as authorized by the lieutenant governor.

~~(b)(c)~~ (c) If the lieutenant governor is appointed by the governor under the provision of K.S.A. 75-303, and amendments thereto, the lieutenant governor shall receive a salary ~~to be fixed by the governor pursuant to section 3, and amendments thereto,~~ or a salary as provided for in subsection ~~(a)~~ (b), whichever is greater.

~~(e)~~ Whenever the rates of compensation of the pay plan for persons in the classified service under the Kansas civil service act are increased for payroll periods chargeable to fiscal years commencing after June 30, 2009, the sum provided biweekly for reimbursement of expenses pursuant to subsection (a)(1) for the lieutenant governor shall be increased on the effective date of any such pay plan increase by an amount computed by multiplying the average of the percentage increases in all steps of such pay plan by the biweekly sum provided to the lieutenant governor for reimbursement of

expenses as authorized by this section.

Sec. 10. K.S.A. 75-3120k is hereby amended to read as follows: 75-3120k. (a) ~~The annual salary of district magistrate judges shall be paid in equal installments each payroll period in accordance with this section.~~

~~(b) Subject to the provisions of subsection (c) and except as otherwise provided in K.S.A. 75-3120l, and amendments thereto, the annual salary of district magistrate judges shall be \$59,059.~~

~~(c) Within the limits of the appropriations therefor, the county or counties comprising the judicial district may supplement the salary of, or pay any compensation to, any district magistrate judge. Any such supplemental salary or compensation 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 district magistrate judge supplemental compensation fund. Any associated employer contributions and payments with respect to such supplemental salary or compensation that are made payable under law shall be paid by the county or counties providing such supplemental salary or compensation, in addition to such supplemental salary or compensation, in the same manner and under the same conditions and requirements as compensation payable pursuant to ~~subsection (b)~~ section 4, and amendments thereto. All such associated employer contributions and payments shall be remitted for deposit in the state treasury and shall be credited to the district magistrate supplemental compensation fund at the same time and in the same manner as such supplemental salary or compensation. As used in this section, employer contributions shall include, and the county or counties shall be required to contribute, employer contributions required pursuant to K.S.A. 20-2605, and amendments thereto, for any district magistrate judge who is a member of the retirement system for judges.~~

~~(d)(b)~~ There is hereby established in the state treasury the district magistrate judge supplemental compensation fund.

~~(e)(c)~~ All moneys credited to the district magistrate judge supplemental compensation fund shall be paid to, or on behalf of, the district magistrate judge or district magistrate judges for whom such moneys were remitted by the county or counties subject to the same conditions or restrictions imposed or prescribed by law, including any applicable withholding or other taxes, associated employer contributions and authorized payroll deductions.

~~(f)(d)~~ All expenditures from the district magistrate judge supplemental compensation fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to payrolls approved by the chief justice of the Kansas supreme court or by a person or persons designated by the chief justice.

~~(g)(e)~~ All salary or other compensation under this section shall be considered to be compensation provided by law for services as a district magistrate judge for all purposes under law.

Sec. 11. K.S.A. 20-2616, 22a-105, 40-102, 46-3101, 75-3101, 75-3103, 75-3104, 75-3108, 75-3110, 75-3111a, 75-3120f, 75-3120g, 75-3120h, 75-3120k and 75-3120l and K.S.A. 2022 Supp. 20-318 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 9; in line 10, by striking all before the period and inserting "the compensation, salary and retirement benefits of certain state officials; creating the

legislative compensation commission; prescribing powers and duties of the commission; authorizing the commission to set rates of compensation and salary for members of the legislature and an additional rate of compensation for certain state officials; establishing procedures for review and possible rejection of such rates of compensation and salary by the legislature; eliminating the previously established compensation commission; relating to the salaries of the governor, lieutenant governor, attorney general, secretary of state, state treasurer, commissioner of insurance and members of the governor's cabinet; establishing the rate of pay for such state officials based on the annual rate of pay for members of congress, as adjusted by the provisions of this act; relating to the salaries of the justices of the supreme court, judges of the court of appeals, district court judges and district magistrate judges; establishing the rate of pay for such justices and judges based on the annual rate of pay for a district judge of the United States, as adjusted by the provisions of this act; amending K.S.A. 20-2616, 22a-105, 40-102, 75-3103 and 75-3120k and K.S.A. 2022 Supp. 20-318 and repealing the existing sections; also repealing K.S.A. 46-3101, 75-3101, 75-3104, 75-3108, 75-3110, 75-3111a, 75-3120f, 75-3120g, 75-3120h and 75-3120l"; and the bill be passed as amended.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2094** 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.

BEVERLY GOSSAGE

RENEE ERICKSON

PAT PETTEY

Conferees on part of Senate

FRANCIS AWERKAMP

LEAH HOWELL

HEATHER MEYER

Conferees on part of House

On motion of Senator Gossage the Senate adopted the conference committee report on **HB 2094**, and requested a new conference be appointed.

The President appointed Senators Gossage, Erickson and Pettey as a second Conference Committee on the part of the Senate on **HB 2094**.

On motion of Senator Alley, the Senate adjourned until 10:00 a.m., Thursday, April 6, 2023.

Journal of the Senate

FIFTY-NINTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, April 6, 2023, 10:00 a.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 40 senators present.
Invocation by Reverend Cecil T. Washington:

Needing The Heart of God From The Heart Doctor
Leviticus 17:9, Ezekiel 36:26

Heavenly Father, You have called us to the service of bringing Your purposes to pass. The laws that come together here are to be a reflection of Your heart. But we do need Your help because Your Word says in Leviticus 17:9 that the human heart is the most deceitful of all things and desperately wicked.

The problem then for us is to bring our deceitful corrupt hearts...that don't think they're all that bad in line with Your perfect purposes. Lord, we need You to do for us what You did for Your people in Ezekiel 36:26. You said "I will give you a new heart and a new mind. I will take away your stubborn heart of stone and give you an obedient heart." Lord, that's what we need. But, for our hearts to reflect Your heart, we'll need You to be...and continue to be our Heart Doctor; for today and all the activities of today and then for the rest of our days. Thanks, Lord for hearing our prayers. In Jesus' Name I pray. Amen

The Pledge of Allegiance was led by President Masterson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

SB 325, AN ACT concerning economic development; enacting the transformation of passenger and freight vehicle industry act; relating to tax and other incentives for projects in specified industries or for a national corporate headquarters with specified job requirements of at least 250 new employees and specified capital investment requirements; providing for a refundable income, privilege and premium tax credit for a portion of any specified capital investment requirement; retention of certain payroll withholding taxes; sales tax exemption for project construction; establishing the transformation of passenger and freight vehicle industry act new employee training and education fund; amending K.S.A. 2022 Supp. 79-3606 and repealing the existing section, by Committee on Ways and Means.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to Committee as indicated:

Ways and Means: **SB 324**.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2058** 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 Amended by Senate on Final Action, as follows:

On page 1, by striking all in lines 11 through 36;

By striking all on pages 2 through 4;

On page 5, by striking all in lines 1 through 25; by striking all in lines 37 through 43;

By striking all on page 6;

On page 7, by striking all in lines 1 and 2; in line 3, by striking "21-6109, 21-6110,"; also in line 3, by striking all after "46-2305"; in line 4, by striking all before "hereby" and inserting "is";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after the semicolon; in line 2, by striking all before "relating"; in line 5, by striking all after the semicolon; by striking all in line 6; in line 7, by striking all before "amending"; also in line 7, by striking all after "Supp."; in line 8, by striking "and 74-8823"; also in line 8, by striking "sections" and inserting "section";

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

MIKE THOMPSON

RICK KLOOS

OLETHA FAUST GOUDEAU

Conferees on part of Senate

WILL CARPENTER

TOM KESSLER

JO ELLA HOYE

Conferees on part of House

Senator Thompson moved the Senate adopt the Conference Committee Report on **S Sub HB 2058**.

On roll call, the vote was: Yeas 26; Nays 13; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Billinger, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kloos, Longbine, Masterson, Olson, Pettey, Pittman, Pyle, Reddi, Ryckman, Sykes, Thompson, Ware.

Nays: Baumgardner, Blasi, Doll, Kerschen, McGinn, O'Shea, Peck, Petersen, Shallenburger, Steffen, Straub, Tyson, Wilborn.

Present and Passing: Warren.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2170** 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. 2170, as follows:

On page 1, in line 20, after "code" by inserting "and maintains its principal office in Kansas"; in line 31, by striking "or institutional solicitation"; in line 32, by striking "an" and inserting "a written";

On page 2, in line 4, by striking "or institutional solicitation"; in line 9, by striking all after "(f)"; by striking all in lines 10 through 14; in line 15, by striking "(g)"; in line 17, after "any" by inserting "living, named"; in line 18, by striking all after "agreement"; in line 19, by striking all before the first "to"; in line 20, after "such" by inserting "endowment"; in line 22, after "such" by inserting "endowment";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

Also on page 2, in line 27, after the comma by inserting "including, but not limited to, K.S.A. 58-3616, and amendments thereto,"; in line 28, after the second "to" by inserting "an endowment agreement that imposes"; in line 31, by striking "or institutional solicitation"; in line 33, after "agreement" by inserting "but not more than 40 years after the date of the endowment agreement that established the endowment fund"; in line 34, after "county" by inserting "of this state"; in line 40, after "seek" by inserting ", or result in,";

On page 3, in line 19, by striking all after "donor"; by striking all in lines 20 and 21; in line 22, by striking all before the period and inserting ", but only if the transfer would not jeopardize or be inconsistent with the tax-exempt status of the original charitable organization. Nothing in this section shall conflict with or affect section (b), and amendments thereto"; in line 29, after "validity" by inserting "as provided in K.S.A. 58-3616, and amendments thereto"; in line 36, after the period, by inserting "Nothing in this act affects the authority of the attorney general to enforce any restriction in an endowment agreement, limits the application of the judicial power of cy pres or alters the right of an institution to modify a restriction on the management, investment, purpose or use of an endowment fund in a manner permitted by the endowment agreement.";

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

MIKE THOMPSON
RICK KLOOS
OLETHA FAUST GOUDEAU
Conferees on part of Senate

WILL CARPENTER
TOM KESSLER
JO ELLA HOYE
Conferees on part of House

Senator Thompson moved the Senate adopt the Conference Committee Report on **S Sub HB 2170**.

On roll call, the vote was: Yeas 37; Nays 3; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Doll, Holland, Tyson.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **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 with Senate Committee amendments, as follows:

On page 1, following line 7, by inserting:

"New Section 1. (a) (1) On July 1, 2023, the Kansas department of wildlife and parks shall be an eligible employer as defined in K.S.A. 74-4952, and amendments thereto, and shall affiliate with the Kansas police and firemen's retirement system established under the provisions of K.S.A. 74-4951 et seq., and amendments thereto, pursuant to the provisions of this section for membership in the system of officers and employees employed by the Kansas department of wildlife and parks who have successfully completed the required course of instruction for law enforcement officers approved by the Kansas law enforcement training center and are certified as a full-time police officer or law enforcement officer pursuant to the provisions of K.S.A. 74-5607a, and amendments thereto, and who are employed in the parks, public lands or law enforcement division. For purposes of such affiliation for membership in the system of such members, the Kansas department of wildlife and parks shall be considered a new participating employer. The Kansas department of wildlife and parks shall make application for affiliation with such system in the manner provided by K.S.A. 74-4954, and amendments thereto, to be effective on the July 1 next following application. The Kansas department of wildlife and parks shall affiliate for membership in the system of such officers and employees for participating service credit.

(2) The Kansas department of wildlife and parks shall appropriate and pay a sum sufficient to satisfy any obligations as certified by the board of trustees of the retirement system based on an actuarial valuation of the cost of such affiliation, and the employer contributions of the Kansas department of wildlife and parks shall be as provided in K.S.A. 74-4967(1), and amendments thereto.

(b) Each such officer and employee who is employed by the Kansas department of wildlife and parks on or after the entry date of the Kansas department of wildlife and parks into the Kansas police and firemen's retirement system as provided in this section shall become a member of the Kansas police and firemen's retirement system on the first day of such employment and shall be subject to the provisions of K.S.A. 74-4951 et seq., and amendments thereto, as applicable.

(c) The division of the budget and the governor shall include in the budget and in the budget request for appropriations for personnel services the amount required to satisfy the employer's obligation under this section as certified by the board of trustees of the system, and shall present the same to the legislature for allowance and appropriation.

(d) The determination of retirement, death or disability benefits shall be computed upon the basis of credited services, as used in K.S.A. 74-4951 et seq., and amendments thereto, but shall include only participating service with the Kansas department of wildlife and parks, commencing on and after the effective date of affiliation by the Kansas department of wildlife and parks with the Kansas police and firemen's retirement system.

(e) In the case of a member who retires on or after July 1, 2023, whose date of membership in the system is prior to July 1, 1993, and any member who was in such member's membership waiting period on July 1, 1993, and whose date of membership in the system is on or after July 1, 1993, shall have such member's employer certify to the Kansas public employees retirement system the number of hours of such member's sick and annual leaves at the time of such member's transfer to the Kansas police and firemen's retirement system. Upon the date of such member's retirement from the Kansas public employees retirement system, such member may use in the calculation of the member's retirement benefit, the average highest annual compensation, as defined in K.S.A. 74-4902(9), and amendments thereto, which shall include but not exceed compensation for the number of sick and annual leave hours certified to the Kansas public employees retirement system on the date of the member's transfer, paid to such member for any four years of participating service preceding the transfer to the Kansas police and firemen's retirement system, or the average highest annual salary, as defined in K.S.A. 74-4902(33), and amendments thereto, paid to such member for any three years of participating service preceding retirement or termination of employment, whichever is greater.

(f) Any rights or benefits accruing to any such officer or employee employed by the Kansas department of wildlife and parks prior to the effective date of affiliation shall be determined pursuant to the provisions of K.S.A. 74-4901 et seq., and amendments thereto. Any officer and employee who becomes a member pursuant to this section, who has a vested retirement benefit pursuant to K.S.A. 74-4917, and amendments thereto, and who terminates employment prior to attaining a vested benefit pursuant to K.S.A. 74-4963, and amendments thereto, may have such service credited for purposes of computing retirement benefits pursuant to K.S.A. 74-4901 et seq., and amendments thereto.

(g) Beginning with the first payment of compensation for services of such officer or employee after becoming a member of the Kansas police and firemen's retirement system, the employer shall deduct from the compensation of such member 7.15% as the employee contribution to the system. Such deductions shall be remitted, deposited and credited as provided in K.S.A. 74-4965, and amendments thereto.

(h) (1) Except as provided in paragraph (2), the actuarial legacy cost of \$2,733,769 for the remaining unfunded liabilities in the Kansas public employees retirement system 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 annual payment by the Kansas department of wildlife and parks.

(2) Subject to appropriations, the Kansas department of wildlife and parks may make a payment in full or payments in two installments for such actuarial legacy cost prior to the expiration of the 20-year amortization period.";

On page 2, following line 16, by inserting:

"Sec. 4. K.S.A. 2022 Supp. 74-4986r is hereby amended to read as follows: 74-4986r. The provisions of K.S.A. 74-4986k through 74-4986r, and amendments thereto, shall expire on January 1, ~~2025~~ 2031.";

Also on page 2, in line 17, by striking "and" and inserting a comma; also in line 17, after "74-4986p" by inserting "and 74-4986r";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking all before the semicolon and inserting "police and firemen's retirement system; providing for membership affiliation for certain law enforcement officers and employees of the Kansas department of wildlife and parks; establishing employee and employer contributions; amortizing certain actuarial legacy costs for such affiliation, exception"; also in line 2, by striking "such" and inserting "Kansas deferred retirement option"; in line 4, after the semicolon by inserting "extending the expiration date of such program;"; also in line 4, by striking "and" and inserting a comma; in line 5, after "4986p" by inserting "and 74-4986r";

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

JEFF LONGBINE

MICHAEL FAGG

JEFF PITTMAN

Conferees on part of Senate

NICK HOHEISEL

WILLIAM CLIFFORD

RUI XU

Conferees on part of House

Senator Longbine moved the Senate adopt the Conference Committee Report on **HB 2196**.

On roll call, the vote was: Yeas 32; Nays 6; Present and Passing 2; Absent or Not Voting 0.

Yeas: Baumgardner, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Petersen, Pettey, Pittman, Pyle, Reddi, Steffen, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Billinger, Fagg, O'Shea, Peck, Ryckman, Shallenburger.

Present and Passing: Alley, Tyson.

The Conference Committee Report was adopted.

CHANGE OF CONFERENCE

Senators Billinger, Claeys and Pettey are appointed to replace Senators Petersen, Kloos and Corson as members of the conference committee on **HB 2019**.

On motion of Senator Alley, the Senate recessed until 11:30 a.m.

The Senate met pursuant to recess with President Masterson in the chair.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **SB 189**.

The House concurs in Senate amendments to **HB 2042**, and requests return of the bill.

The House concurs in Senate amendments to **HB 2027**, and requests return of the bill.

The House concurs in Senate amendments to **HB 2172**, and requests return of the bill.

The House concurs in Senate amendments to **HB 2173**, and requests return of the bill.

The House adopts the Conference Committee report on **HB 2015**.

The House adopts the Conference Committee report on **HB 2065**.

The House adopts the Conference Committee report on **HB 2090**.

The House adopts the Conference Committee report on **HB 2093**.

The House adopts the Conference Committee report on **HB 2130**.

The House adopts the Conference Committee report on **HB 2131**.

The House adopts the Conference Committee report on **HB 2216**.

The House adopts the Conference Committee report to agree to disagree on **HB 2094**, and has appointed Representatives Awerkamp, Howell and Meyer as second conferees on the part of the House.

The House announced the appointment of Representatives Waymaster, Hoffman and Helgerson to replace Representatives Francis, Neelly and Ballard as conferees on **HB 2019**.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2138** 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.

MOLLY BAUMGARDNER

RENEE ERICKSON

Conferees on part of Senate

ADAM THOMAS

SUSAN ESTES

Conferees on part of House

On motion of Senator Alley the Senate adopted the conference committee report on **S Sub HB 2138**, and requested a new conference be appointed.

The President appointed Senators Baumgardner, Erickson and Sykes as a second Conference Committee on the part of the Senate on **S Sub HB 2138**.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2010** 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.

KELLIE WARREN
RICK WILBORN
ETHAN CORSON
Conferees on part of Senate

FRED PATTON
MARK SCHREIBER
JOHN CARMICHAEL
Conferees on part of House

On motion of Senator Warren the Senate adopted the conference committee report on **S Sub HB 2010**, and requested a new conference be appointed.

The President appointed Senators Warren, Wilborn and Corson as a second Conference Committee on the part of the Senate on **S Sub HB 2010**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 189** 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
MARK SCHREIBER
JOHN CARMICHAEL
Conferees on part of House

KELLIE WARREN
RICK WILBORN
ETHAN CORSON
Conferees on part of Senate

Senator Warren moved the Senate adopt the Conference Committee Report on **SB 189**.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2100** 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 6 through 36;

On page 2, by striking all in lines 1 through 29; following line 29, by inserting:

"New Section 1. (a) The provisions of sections 1 through 6, and amendments thereto, shall be known and may be cited as the Kansas public investments and contracts protection act.

(b) As used in this act:

(1) "Act" means the Kansas public investments and contracts protection act.

(2) "Board" means the board of trustees of the Kansas public employees retirement system.

(3) "Company" means any organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, limited liability company or other entity of business association, including a wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of such entities or business associations that exists for the purpose of making a profit. "Company" does not mean a sole proprietorship.

(4) "Environmental, social and governance criteria" means any criterion that gives preferential treatment or discriminates based on whether a company meets or fails to meet one or more of the following criteria:

(A) Engaging in the exploration, production, utilization, transportation, sale or manufacturing of:

(i) Fossil fuel-based energy;

(ii) nuclear energy; or

(iii) any other natural resource;

(B) engaging in the production of agriculture;

(C) engaging in the production of lumber;

(D) engaging in mining;

(E) emitting greenhouse gases or not disclosing or offsetting such greenhouse gas emissions;

(F) engaging in the manufacturing, distribution or sale of firearms, firearms accessories, ammunition or ammunition components;

(G) having a governing corporate board or other officers whose race, ethnicity, sex or sexual orientation meets or does not meet any criteria;

(H) facilitating or assisting or not facilitating or assisting employees in obtaining abortions or gender reassignment services; and

(I) doing business with any company described by subparagraphs (A) through (H).

(5) "Fiduciary" means any person acting on behalf of the board or system as an investment manager, proxy advisor or contractor, including the system's board of trustees.

(6) "Fiduciary commitment" means any evidence of a fiduciary's purpose in

managing assets as a fiduciary, including, but not limited to, any of the following in a fiduciary's capacity as a fiduciary, specifically on assets managed on behalf of the system:

(A) Advertisements, statements, explanations, reports, communications with portfolio companies, statements of principles or commitments; or

(B) participation in, affiliation with or status as a signatory to any coalition, initiative, joint statement of principles or agreement.

(7) (A) "Financial" means having been prudently determined by a fiduciary to have a material effect on the financial risk or the financial return of an investment.

(B) "Financial" does not include any action taken or factor considered by a fiduciary with any purpose whatsoever to further social, political or ideological interests.

(C) A fiduciary may reasonably be determined to have taken an action or considered a factor with a purpose to further social, political or ideological interests based upon evidence indicating such a purpose, including, but not limited to, any fiduciary commitment to further, through portfolio company engagement, board or shareholder votes or otherwise as a fiduciary, any of the following beyond what controlling federal or state law requires, specifically on assets managed on behalf of the system:

(i) Eliminating, reducing, offsetting or disclosing greenhouse gas emissions;

(ii) instituting or assessing corporate board, employment, composition, compensation or disclosure criteria that incorporates characteristics protected under state law;

(iii) divesting from, limiting investment in or limiting the activities or investments of any company for failing or not committing to meet environmental standards or disclosures;

(iv) accessing abortion, sex or gender change or transgender surgery; or

(v) divesting from, limiting investment in or limiting the activities or investments of any company that engages in, facilitates or supports the manufacture, import, distribution, marketing, advertising, sale or lawful use of firearms, ammunition or component parts and accessories of firearms or ammunition.

(8) "Fossil fuels" means coal, natural gas, petroleum or oil formed by natural processes through decomposition of dead organisms.

(9) "Natural resources" means fossil fuels, minerals, metal ores or any other nonrenewable or finite resource that cannot be readily replaced by natural means at the speed at which it is consumed.

(10) "System" means the Kansas public employees retirement system. "System" does not include participant-directed individual account plans.

New Sec. 2. (a) The state, any agency of the state, any political subdivision of the state, or any instrumentality thereof, including the pooled money investment board established by K.S.A. 75-4221a, and amendments thereto, when engaged in procuring or letting contracts for any purpose, shall ensure that bidders, offerors, contractors or subcontractors are not given preferential treatment or discriminated against based on any environmental, social and governance criteria.

(b) The state, any agency of the state, any political subdivision of the state or any instrumentality thereof, including the pooled money investment board established by K.S.A. 75-4221a, and amendments thereto, shall not adopt any procurement regulation

or policy that causes any bidder, offeror, contractor or subcontractor to be given preferential treatment or be subject to discrimination based on any environmental, social and governance criteria, except as otherwise specifically permitted or required by law.

New Sec. 3. (a) In making and supervising investments of the system, the system and any investment manager, proxy advisor or contractor thereof shall discharge its duties solely in the financial interest of the participants and beneficiaries for the exclusive purposes of:

- (1) Providing financial benefits to participants and their beneficiaries; and
- (2) defraying reasonable expenses of administering the system.

(b) An investment manager, proxy advisor or contractor retained by the system shall be subject to the same fiduciary duties as the system's board of trustees.

(c) A fiduciary shall consider only financial factors when discharging such fiduciary's duties with respect to the system.

(d) All shares held directly or indirectly by or on behalf of the system or the participants and their beneficiaries shall be voted solely in the financial interest of system participants and their beneficiaries.

(e) Unless no economically practicable alternative is available, the system shall not grant proxy voting authority to any person who is not a part of the system, unless such person has a practice of, and in writing commits to, following guidelines that match the system's obligation to act solely upon financial factors, in which case the system may grant proxy voting authority to such person.

(f) Unless no economically practicable alternative is available, in the selection of any proxy advisor, the system shall give preference to a proxy advisor service that commits in writing to engage in voting shares and making recommendations in a strictly fiduciary manner, and without consideration of policy objectives that are not the express policy objectives of the system, in which case the system may engage a proxy voting advisor.

(g) Unless no economically practicable alternative is available, system assets shall not be entrusted to a fiduciary, unless such fiduciary has a practice of, and in writing commits to, following guidelines, when engaging with portfolio companies and voting shares or proxies, that follow the system's obligation to act solely upon financial factors and not upon policy considerations that are not the express policy objectives of the system, in which case the system may entrust engagement and share voting to a fiduciary.

(h) Unless no economically practicable alternative is available, an investment manager or contractor shall not, in providing service for the system, follow the recommendations of a proxy advisor or other service provider, unless such advisor or service provider has a practice of, and in writing commits to, following proxy voting guidelines that follow the system's obligation to act solely upon financial factors, in which case the investment manager or contractor may follow the recommendations of a proxy or other service advisor.

(i) All proxy votes shall be tabulated and reported annually to the system's board of trustees and to the joint committee on pensions, investments and benefits. For each vote, the report shall contain a vote caption, the system's vote, the recommendation of company management and, if applicable, the proxy advisor's recommendation. Such reports shall be posted on the system's website for review by the public.

(j) Subsections (e) through (i) shall apply only to assets managed on behalf of the system and shall not apply to alternative or real estate investments as defined in K.S.A. 74-4921(5), and amendments thereto.

New Sec. 4. (a) As used in this section, "state agency" means an office, board, commission, department, council, bureau, governmental entity or other agency of state government having authority to adopt or enforce rules and regulations.

(b) No state agency shall share or publish information, adopt policies, adopt rules and regulations or issue guidelines for purposes of environmental, social and governance criteria that restrict the ability of any industry to offer products or services. No state agency shall require any person or business to adopt or operate in accordance with environmental, social and governance criteria.

New Sec. 5. (a) This act or any contract subject to this act may be enforced by the attorney general.

(b) If the attorney general has reasonable cause to believe that a person has engaged in, is engaging in or is about to engage in a violation of this act, the attorney general may require:

(1) Such person to file on such forms as the attorney general may prescribe a statement or report in writing, under oath, as to all the facts and circumstances concerning the violation; and

(2) the filing of such other data and information as the attorney general may deem necessary.

(c) In addition to any other remedies available at law or equity, an investment manager or contractor of the system that serves as a fiduciary and violates the provisions of section 3, and amendments thereto, shall be obligated to pay damages to the state in an amount equal to three times all moneys paid to the investment manager or contractor by the system for the services of such investment manager or contractor.

New Sec. 6. In a cause of action based on an action, inaction, decision, divestment, investment, report or other determination made or taken in compliance with this act, without regard to whether the person performed services for compensation, the state shall indemnify and hold harmless for actual damages, court costs and attorney fees adjudged against, and defend the system and any of its current and former employees, members of the board or any other officers of the system related to the act or omission on which the damages are based.

Sec. 7. K.S.A. 2022 Supp. 74-4921 is hereby amended to read as follows: 74-4921.

(1) There is hereby created in the state treasury the Kansas public employees retirement fund. All employee and employer contributions shall be deposited in the state treasury to be credited to the Kansas public employees retirement fund. The fund is a trust fund and shall be used solely for the exclusive purpose of providing benefits to members and member beneficiaries and defraying reasonable expenses of administering the fund. Investment income of the fund shall be added or credited to the fund as provided by law. All benefits payable under the system, refund of contributions and overpayments, purchases or investments under the law and expenses in connection with the system unless otherwise provided by law shall be paid from the fund. The director of accounts and reports is authorized to draw warrants on the state treasurer and against such fund upon the filing in the director's office of proper vouchers executed by the chairperson or the executive director of the board. As an alternative, payments from the fund may be made by credits to the accounts of recipients of payments in banks, savings and loan

associations and credit unions. A payment shall be so made only upon the written authorization and direction of the recipient of payment and upon receipt of such authorization such payments shall be made in accordance therewith. Orders for payment of such claims may be contained on:

(a) A letter, memorandum, telegram, computer printout or similar writing; or

(b) any form of communication, other than voice, which is registered upon magnetic tape, disc or any other medium designed to capture and contain in durable form conventional signals used for the electronic communication of messages.

(2) The board shall have the responsibility for the management of the fund and shall discharge the board's duties with respect to the fund solely in the interests of the members and beneficiaries of the system for the exclusive purpose of providing benefits to members and such member's beneficiaries and defraying reasonable expenses of administering the fund and shall invest and reinvest moneys in the fund and acquire, retain, manage, including the exercise of any voting rights and disposal of investments of the fund within the limitations and according to the powers, duties and purposes as prescribed by this section.

(3) Moneys in the fund shall be invested and reinvested to achieve the investment objective which is preservation of the fund to provide benefits to members and member beneficiaries, as provided by law and accordingly providing that the moneys are as productive as possible, subject to the standards set forth in this act. No moneys in the fund shall be invested or reinvested if ~~the sole or primary~~ any investment objective is for economic development or social purposes or objectives.

(4) In investing and reinvesting moneys in the fund and in acquiring, retaining, managing and disposing of investments of the fund, the board 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 fund 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 funds, considering the probable income as well as the probable safety of their capital.

(5) Notwithstanding subsection (4):

(a) Total investments in common stock may be made in the amount of up to 60% of the total book value of the fund;

(b) the board may invest or reinvest moneys of the fund in alternative investments if the following conditions are satisfied:

(i) The total of the annual net commitment to alternative investments does not exceed 5% of the total market value of investment assets of the fund as measured from the end of the preceding calendar year;

(ii) if in addition to the system, there are at least two other qualified institutional buyers, as defined by section (a)(1)(i) of rule 144A, securities act of 1933;

(iii) the system's share in any individual alternative investment is limited to an investment representing not more than 20% of any such individual alternative investment;

(iv) the system has received a favorable and appropriate recommendation from a qualified, independent expert in investment management or analysis in that particular type of alternative investment;

(v) the alternative investment is consistent with the system's investment policies and objectives as provided in subsection (6);

(vi) the individual alternative investment does not exceed more than 2.5% of the total alternative investments made under this subsection. If the alternative investment is made pursuant to participation by the system in a multi-investor pool, the 2.5% limitation contained in this subsection is applied to the underlying individual assets of such pool and not to investment in the pool itself. The total of such alternative investments made pursuant to participation by the system in any one individual multi-investor pool shall not exceed more than 20% of the total of alternative investments made by the system pursuant to this subsection. Nothing in this subsection requires the board to liquidate or sell the system's holdings in any alternative investments made pursuant to participation by the system in any one individual multi-investor pool held by the system on the effective date of this act, unless such liquidation or sale would be in the best interest of the members and beneficiaries of the system and be prudent under the standards contained in this section. The 20% limitation contained in this subsection shall not have been violated if the total of such investment in any one individual multi-investor pool exceeds 20% of the total alternative investments of the fund as a result of market forces acting to increase the value of such a multi-investor pool relative to the rest of the system's alternative investments; however, the board shall not invest or reinvest any moneys of the fund in any such individual multi-investor pool until the value of such individual multi-investor pool is less than 20% of the total alternative investments of the fund;

(vii) the board has received and considered the investment manager's due diligence findings submitted to the board as required by subsection ~~(6)(e)(6)~~;

(viii) prior to the time the alternative investment is made, the system has in place procedures and systems to ensure that the investment is properly monitored and investment performance is accurately measured; and

(ix) the total of alternative investments does not exceed 15% of the total investment assets of the fund. The 15% limitation contained in this subsection shall not have been violated if the total of such alternative investments exceeds 15% of the total investment assets of the fund, based on the fund total market value, as a result of market forces acting to increase the value of such alternative investments relative to the rest of the system's investments. However, the board shall not invest or reinvest any moneys of the fund in alternative investments until the total value of such alternative investments is less than 15% of the total investment assets of the fund based on the market value. If the total value of the alternative investments exceeds 15% of the total investment assets of the fund, the board shall not be required to liquidate or sell the system's holdings in any alternative investment held by the system, unless such liquidation or sale would be in the best interest of the members and beneficiaries of the system and is prudent under the standards contained in this section;

(c) for purposes of this act section, "alternative investment" includes a broad group of investments that are not one of the traditional asset types of public equities, fixed income, cash or real estate. Alternative investments are generally made through limited partnership or similar structures, are not regularly traded on nationally recognized exchanges and thus are relatively illiquid, and exhibit lower correlations with more liquid asset types such as stocks and bonds. Alternative investments generally include, but are not limited to, private equity, private credit, hedge funds, infrastructure,

commodities and other investments ~~which that~~ have the characteristics described in this paragraph; and

~~(e)(d)~~ except as otherwise provided, the board may invest or reinvest moneys of the fund in real estate investments if the following conditions are satisfied:

(i) The system has received a favorable and appropriate recommendation from a qualified, independent expert in investment management or analysis in that particular type of real estate investment;

(ii) the real estate investment is consistent with the system's investment policies and objectives as provided in subsection (6); and

(iii) the system has received and considered the investment manager's due diligence findings.

(6)(a) Subject to the objective set forth in subsection (3) and the standards set forth in subsections (4) and (5) the board shall formulate policies and objectives for the investment and reinvestment of moneys in the fund and the acquisition, retention, management and disposition of investments of the fund. Such policies and objectives shall include:

~~(a)(i)~~ Specific asset allocation standards and objectives;

~~(b)(ii)~~ establishment of criteria for evaluating the risk versus the potential return on a particular investment;

~~(e)(iii)~~ a requirement that all investment managers submit such manager's due diligence findings on each investment to the board or investment advisory committee for approval or rejection prior to making any alternative investment;

~~(d)(iv)~~ a requirement that all investment managers shall immediately report all instances of default on investments to the board and provide the board with recommendations and options, including, but not limited to, curing the default or withdrawal from the investment; and

~~(e)(v)~~ establishment of criteria that would be used as a guideline for determining when no additional add-on investments or reinvestments would be made and when the investment would be liquidated.

(b) The board shall review such policies and objectives, make changes considered necessary or desirable and readopt such policies and objectives on an annual basis.

(7) The board may enter into contracts with one or more persons whom the board determines to be qualified, whereby the persons undertake to perform the functions specified in subsection (2) to the extent provided in the contract. Performance of functions under contract so entered into shall be paid pursuant to rates fixed by the board subject to provisions of appropriation acts and shall be based on specific contractual fee arrangements. The system shall not pay or reimburse any expenses of persons contracted with pursuant to this subsection, except that after approval of the board, the system may pay approved investment related expenses subject to provisions of appropriation acts. The board shall require that a person contracted with to obtain commercial insurance which provides for errors and omissions coverage for such person in an amount to be specified by the board, provided that such coverage 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 shall require a person contracted with 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, with corporate surety authorized to do business in this state. Such persons contracted with the board pursuant to this subsection and any persons contracted with

such persons to perform the functions specified in subsection (2) shall be deemed to be agents of the board and the system in the performance of contractual obligations.

(8) (a) In the acquisition or disposition of securities, the board may rely on the written legal opinion of a reputable bond attorney or attorneys, the written opinion of the attorney of the investment counselor or managers, or the written opinion of the attorney general certifying the legality of the securities.

(b) The board shall employ or retain qualified investment counsel or counselors or may negotiate with a trust company to assist and advise in the judicious investment of funds as herein provided.

(9) (a) Except as provided in subsection (7) and this subsection, the custody of money and securities of the fund shall remain in the custody of the state treasurer, except that the board may arrange for the custody of such money and securities 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. The services provided by the banks or trust companies shall be paid pursuant to rates fixed by the board subject to provisions of appropriation acts.

(b) The state treasurer and the board shall collect the principal and interest or other income of investments or the proceeds of sale of securities in the custody of the state treasurer and pay same when so collected into the fund.

(c) The principal and interest or other income or the proceeds of sale of securities as provided in ~~clause (a) of this subsection~~ (9) shall be reported to the state treasurer and the board and credited to the fund.

(10) The board shall with the advice of the director of accounts and reports establish the requirements and procedure for reporting any and all activity relating to investment functions provided for in this act in order to prepare a record monthly of the investment income and changes made during the preceding month. The record will reflect a detailed summary of investment, reinvestment, purchase, sale and exchange transactions and such other information as the board may consider advisable to reflect a true accounting of the investment activity of the fund.

(11) The board shall provide for an examination of the investment program annually. The examination shall include an evaluation of current investment policies and practices and of specific investments of the fund in relation to the objective set forth in subsection (3), the standard set forth in subsection (4) and other criteria as may be appropriate, and recommendations relating to the fund investment policies and practices and to specific investments of the fund as are considered necessary or desirable. The board shall include in its annual report to the governor as provided in K.S.A. 74-4907, and amendments thereto, a report or a summary thereof covering the investments of the fund.

~~(12) (a)~~ Any internal assessment or examination of alternative investments of the system performed by any person or entity employed or retained by the board which evaluates or monitors the performance of alternative investments shall be reported to the legislative post auditor so that such report may be reviewed in accordance with the annual financial-compliance audits conducted pursuant to K.S.A. 74-49,136, and amendments thereto.

~~(b) The board shall prepare and submit an alternative investment report to the joint~~

~~committee on pensions, investments and benefits prior to January 1, 2016. Such report shall include a review of alternative investments of the system with an emphasis on the effects of changes in law pursuant to this act and includes specific investment cost and market value information of each individual alternative investment.~~

Sec. 8. K.S.A. 2022 Supp. 74-4921 is hereby repealed.";

Also on page 2, in line 31, 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 line 2; in line 3, by striking all before the period and inserting "environmental, social and governance criteria involving public contracts and investments; enacting the Kansas public investments and contracts protection act; prohibiting the state or a political subdivision from giving preferential treatment to or discriminating against companies based on environmental, social and governance criteria in procuring or letting contracts; requiring fiduciaries of the Kansas public employees retirement system to act solely in the financial interest of participants and beneficiaries of the system; restricting state agencies from adopting environmental, social and governance criteria or requiring any person or business to operate in accordance with such criteria; providing for enforcement of such act by the attorney general; indemnifying the Kansas public employees retirement system with respect to actions taken in compliance with such act; amending K.S.A. 2022 Supp. 74-4921 and repealing the existing section";

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

MIKE THOMPSON

RICK KLOOS

Conferees on part of Senate

NICK HOHEISEL

WILLIAM CLIFFORD

Conferees on part of House

Senator Thompson moved the Senate adopt the Conference Committee Report on **HB 2100**.

Senator Straub offered a substitute motion to not adopt the Conference Committee Report on **HB 2100** and appoint a new conference. Division was requested and the motion failed.

The motion of Senator Thompson to adopt the conference committee report on **HB 2100** failed.

On roll call, the vote was: Yeas 18; Nays 20; Present and Passing 2; Absent or Not Voting 0.

Yeas: Billinger, Bowers, Claeys, Dietrich, Doll, Gossage, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Ryckman, Shallenburger, Steffen, Thompson, Warren, Wilborn.

Nays: Alley, Baumgardner, Blasi, Corson, Erickson, Fagg, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Kerschen, Peck, Pettet, Pittman, Pyle, Reddi, Sykes, Tyson, Ware.

Present and Passing: Kloos, Straub.

The Conference Committee Report was not adopted

On motion of Senator Alley, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate met pursuant to recess with President Masterson in the chair.

ORIGINAL MOTIONS

Having voted on the prevailing side, Senator Alley moved to reconsider previous action on **HB 2100**. Motion carried by voice vote.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2100** 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 6 through 36;

On page 2, by striking all in lines 1 through 29; following line 29, by inserting:

"New Section 1. (a) The provisions of sections 1 through 6, and amendments thereto, shall be known and may be cited as the Kansas public investments and contracts protection act.

(b) As used in this act:

(1) "Act" means the Kansas public investments and contracts protection act.

(2) "Board" means the board of trustees of the Kansas public employees retirement system.

(3) "Company" means any organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, limited liability company or other entity of business association, including a wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of such entities or business associations that exists for the purpose of making a profit. "Company" does not mean a sole proprietorship.

(4) "Environmental, social and governance criteria" means any criterion that gives preferential treatment or discriminates based on whether a company meets or fails to meet one or more of the following criteria:

(A) Engaging in the exploration, production, utilization, transportation, sale or manufacturing of:

(i) Fossil fuel-based energy;

(ii) nuclear energy; or

(iii) any other natural resource;

(B) engaging in the production of agriculture;

(C) engaging in the production of lumber;

(D) engaging in mining;

(E) emitting greenhouse gases or not disclosing or offsetting such greenhouse gas emissions;

(F) engaging in the manufacturing, distribution or sale of firearms, firearms accessories, ammunition or ammunition components;

(G) having a governing corporate board or other officers whose race, ethnicity, sex

or sexual orientation meets or does not meet any criteria;

(H) facilitating or assisting or not facilitating or assisting employees in obtaining abortions or gender reassignment services; and

(I) doing business with any company described by subparagraphs (A) through (H).

(5) "Fiduciary" means any person acting on behalf of the board or system as an investment manager, proxy advisor or contractor, including the system's board of trustees.

(6) "Fiduciary commitment" means any evidence of a fiduciary's purpose in managing assets as a fiduciary, including, but not limited to, any of the following in a fiduciary's capacity as a fiduciary, specifically on assets managed on behalf of the system:

(A) Advertisements, statements, explanations, reports, communications with portfolio companies, statements of principles or commitments; or

(B) participation in, affiliation with or status as a signatory to any coalition, initiative, joint statement of principles or agreement.

(7) (A) "Financial" means having been prudently determined by a fiduciary to have a material effect on the financial risk or the financial return of an investment.

(B) "Financial" does not include any action taken or factor considered by a fiduciary with any purpose whatsoever to further social, political or ideological interests.

(C) A fiduciary may reasonably be determined to have taken an action or considered a factor with a purpose to further social, political or ideological interests based upon evidence indicating such a purpose, including, but not limited to, any fiduciary commitment to further, through portfolio company engagement, board or shareholder votes or otherwise as a fiduciary, any of the following beyond what controlling federal or state law requires, specifically on assets managed on behalf of the system:

(i) Eliminating, reducing, offsetting or disclosing greenhouse gas emissions;

(ii) instituting or assessing corporate board, employment, composition, compensation or disclosure criteria that incorporates characteristics protected under state law;

(iii) divesting from, limiting investment in or limiting the activities or investments of any company for failing or not committing to meet environmental standards or disclosures;

(iv) accessing abortion, sex or gender change or transgender surgery; or

(v) divesting from, limiting investment in or limiting the activities or investments of any company that engages in, facilitates or supports the manufacture, import, distribution, marketing, advertising, sale or lawful use of firearms, ammunition or component parts and accessories of firearms or ammunition.

(8) "Fossil fuels" means coal, natural gas, petroleum or oil formed by natural processes through decomposition of dead organisms.

(9) "Natural resources" means fossil fuels, minerals, metal ores or any other nonrenewable or finite resource that cannot be readily replaced by natural means at the speed at which it is consumed.

(10) "System" means the Kansas public employees retirement system. "System" does not include participant-directed individual account plans.

New Sec. 2. (a) The state, any agency of the state, any political subdivision of the

state, or any instrumentality thereof, including the pooled money investment board established by K.S.A. 75-4221a, and amendments thereto, when engaged in procuring or letting contracts for any purpose, shall ensure that bidders, offerors, contractors or subcontractors are not given preferential treatment or discriminated against based on any environmental, social and governance criteria.

(b) The state, any agency of the state, any political subdivision of the state or any instrumentality thereof, including the pooled money investment board established by K.S.A. 75-4221a, and amendments thereto, shall not adopt any procurement regulation or policy that causes any bidder, offeror, contractor or subcontractor to be given preferential treatment or be subject to discrimination based on any environmental, social and governance criteria, except as otherwise specifically permitted or required by law.

New Sec. 3. (a) In making and supervising investments of the system, the system and any investment manager, proxy advisor or contractor thereof shall discharge its duties solely in the financial interest of the participants and beneficiaries for the exclusive purposes of:

- (1) Providing financial benefits to participants and their beneficiaries; and
- (2) defraying reasonable expenses of administering the system.

(b) An investment manager, proxy advisor or contractor retained by the system shall be subject to the same fiduciary duties as the system's board of trustees.

(c) A fiduciary shall consider only financial factors when discharging such fiduciary's duties with respect to the system.

(d) All shares held directly or indirectly by or on behalf of the system or the participants and their beneficiaries shall be voted solely in the financial interest of system participants and their beneficiaries.

(e) Unless no economically practicable alternative is available, the system shall not grant proxy voting authority to any person who is not a part of the system, unless such person has a practice of, and in writing commits to, following guidelines that match the system's obligation to act solely upon financial factors, in which case the system may grant proxy voting authority to such person.

(f) Unless no economically practicable alternative is available, in the selection of any proxy advisor, the system shall give preference to a proxy advisor service that commits in writing to engage in voting shares and making recommendations in a strictly fiduciary manner, and without consideration of policy objectives that are not the express policy objectives of the system, in which case the system may engage a proxy voting advisor.

(g) Unless no economically practicable alternative is available, system assets shall not be entrusted to a fiduciary, unless such fiduciary has a practice of, and in writing commits to, following guidelines, when engaging with portfolio companies and voting shares or proxies, that follow the system's obligation to act solely upon financial factors and not upon policy considerations that are not the express policy objectives of the system, in which case the system may entrust engagement and share voting to a fiduciary.

(h) Unless no economically practicable alternative is available, an investment manager or contractor shall not, in providing service for the system, follow the recommendations of a proxy advisor or other service provider, unless such advisor or service provider has a practice of, and in writing commits to, following proxy voting

guidelines that follow the system's obligation to act solely upon financial factors, in which case the investment manager or contractor may follow the recommendations of a proxy or other service advisor.

(i) All proxy votes shall be tabulated and reported annually to the system's board of trustees and to the joint committee on pensions, investments and benefits. For each vote, the report shall contain a vote caption, the system's vote, the recommendation of company management and, if applicable, the proxy advisor's recommendation. Such reports shall be posted on the system's website for review by the public.

(j) Subsections (e) through (i) shall apply only to assets managed on behalf of the system and shall not apply to alternative or real estate investments as defined in K.S.A. 74-4921(5), and amendments thereto.

New Sec. 4. (a) As used in this section, "state agency" means an office, board, commission, department, council, bureau, governmental entity or other agency of state government having authority to adopt or enforce rules and regulations.

(b) No state agency shall share or publish information, adopt policies, adopt rules and regulations or issue guidelines for purposes of environmental, social and governance criteria that restrict the ability of any industry to offer products or services. No state agency shall require any person or business to adopt or operate in accordance with environmental, social and governance criteria.

New Sec. 5. (a) This act or any contract subject to this act may be enforced by the attorney general.

(b) If the attorney general has reasonable cause to believe that a person has engaged in, is engaging in or is about to engage in a violation of this act, the attorney general may require:

(1) Such person to file on such forms as the attorney general may prescribe a statement or report in writing, under oath, as to all the facts and circumstances concerning the violation; and

(2) the filing of such other data and information as the attorney general may deem necessary.

(c) In addition to any other remedies available at law or equity, an investment manager or contractor of the system that serves as a fiduciary and violates the provisions of section 3, and amendments thereto, shall be obligated to pay damages to the state in an amount equal to three times all moneys paid to the investment manager or contractor by the system for the services of such investment manager or contractor.

New Sec. 6. In a cause of action based on an action, inaction, decision, divestment, investment, report or other determination made or taken in compliance with this act, without regard to whether the person performed services for compensation, the state shall indemnify and hold harmless for actual damages, court costs and attorney fees adjudged against, and defend the system and any of its current and former employees, members of the board or any other officers of the system related to the act or omission on which the damages are based.

Sec. 7. K.S.A. 2022 Supp. 74-4921 is hereby amended to read as follows: 74-4921.

(1) There is hereby created in the state treasury the Kansas public employees retirement fund. All employee and employer contributions shall be deposited in the state treasury to be credited to the Kansas public employees retirement fund. The fund is a trust fund and shall be used solely for the exclusive purpose of providing benefits to members and member beneficiaries and defraying reasonable expenses of administering the fund.

Investment income of the fund shall be added or credited to the fund as provided by law. All benefits payable under the system, refund of contributions and overpayments, purchases or investments under the law and expenses in connection with the system unless otherwise provided by law shall be paid from the fund. The director of accounts and reports is authorized to draw warrants on the state treasurer and against such fund upon the filing in the director's office of proper vouchers executed by the chairperson or the executive director of the board. As an alternative, payments from the fund may be made by credits to the accounts of recipients of payments in banks, savings and loan associations and credit unions. A payment shall be so made only upon the written authorization and direction of the recipient of payment and upon receipt of such authorization such payments shall be made in accordance therewith. Orders for payment of such claims may be contained on:

(a) A letter, memorandum, telegram, computer printout or similar writing; or

(b) any form of communication, other than voice, which is registered upon magnetic tape, disc or any other medium designed to capture and contain in durable form conventional signals used for the electronic communication of messages.

(2) The board shall have the responsibility for the management of the fund and shall discharge the board's duties with respect to the fund solely in the interests of the members and beneficiaries of the system for the exclusive purpose of providing benefits to members and such member's beneficiaries and defraying reasonable expenses of administering the fund and shall invest and reinvest moneys in the fund and acquire, retain, manage, including the exercise of any voting rights and disposal of investments of the fund within the limitations and according to the powers, duties and purposes as prescribed by this section.

(3) Moneys in the fund shall be invested and reinvested to achieve the investment objective which is preservation of the fund to provide benefits to members and member beneficiaries, as provided by law and accordingly providing that the moneys are as productive as possible, subject to the standards set forth in this act. No moneys in the fund shall be invested or reinvested if ~~the sole or primary~~ any investment objective is for economic development or social purposes or objectives.

(4) In investing and reinvesting moneys in the fund and in acquiring, retaining, managing and disposing of investments of the fund, the board 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 fund 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 funds, considering the probable income as well as the probable safety of their capital.

(5) Notwithstanding subsection (4):

(a) Total investments in common stock may be made in the amount of up to 60% of the total book value of the fund;

(b) the board may invest or reinvest moneys of the fund in alternative investments if the following conditions are satisfied:

(i) The total of the annual net commitment to alternative investments does not exceed 5% of the total market value of investment assets of the fund as measured from the end of the preceding calendar year;

(ii) if in addition to the system, there are at least two other qualified institutional buyers, as defined by section (a)(1)(i) of rule 144A, securities act of 1933;

(iii) the system's share in any individual alternative investment is limited to an investment representing not more than 20% of any such individual alternative investment;

(iv) the system has received a favorable and appropriate recommendation from a qualified, independent expert in investment management or analysis in that particular type of alternative investment;

(v) the alternative investment is consistent with the system's investment policies and objectives as provided in subsection (6);

(vi) the individual alternative investment does not exceed more than 2.5% of the total alternative investments made under this subsection. If the alternative investment is made pursuant to participation by the system in a multi-investor pool, the 2.5% limitation contained in this subsection is applied to the underlying individual assets of such pool and not to investment in the pool itself. The total of such alternative investments made pursuant to participation by the system in any one individual multi-investor pool shall not exceed more than 20% of the total of alternative investments made by the system pursuant to this subsection. Nothing in this subsection requires the board to liquidate or sell the system's holdings in any alternative investments made pursuant to participation by the system in any one individual multi-investor pool held by the system on the effective date of this act, unless such liquidation or sale would be in the best interest of the members and beneficiaries of the system and be prudent under the standards contained in this section. The 20% limitation contained in this subsection shall not have been violated if the total of such investment in any one individual multi-investor pool exceeds 20% of the total alternative investments of the fund as a result of market forces acting to increase the value of such a multi-investor pool relative to the rest of the system's alternative investments; however, the board shall not invest or reinvest any moneys of the fund in any such individual multi-investor pool until the value of such individual multi-investor pool is less than 20% of the total alternative investments of the fund;

(vii) the board has received and considered the investment manager's due diligence findings submitted to the board as required by subsection ~~(6)(e)~~ (6);

(viii) prior to the time the alternative investment is made, the system has in place procedures and systems to ensure that the investment is properly monitored and investment performance is accurately measured; and

(ix) the total of alternative investments does not exceed 15% of the total investment assets of the fund. The 15% limitation contained in this subsection shall not have been violated if the total of such alternative investments exceeds 15% of the total investment assets of the fund, based on the fund total market value, as a result of market forces acting to increase the value of such alternative investments relative to the rest of the system's investments. However, the board shall not invest or reinvest any moneys of the fund in alternative investments until the total value of such alternative investments is less than 15% of the total investment assets of the fund based on the market value. If the total value of the alternative investments exceeds 15% of the total investment assets of the fund, the board shall not be required to liquidate or sell the system's holdings in any alternative investment held by the system, unless such liquidation or sale would be in the best interest of the members and beneficiaries of the system and is prudent under the

standards contained in this section;

(c) for purposes of this ~~act~~ section, "alternative investment" includes a broad group of investments that are not one of the traditional asset types of public equities, fixed income, cash or real estate. Alternative investments are generally made through limited partnership or similar structures, are not regularly traded on nationally recognized exchanges and thus are relatively illiquid, and exhibit lower correlations with more liquid asset types such as stocks and bonds. Alternative investments generally include, but are not limited to, private equity, private credit, hedge funds, infrastructure, commodities and other investments ~~which~~ that have the characteristics described in this paragraph; and

~~(e)~~(d) except as otherwise provided, the board may invest or reinvest moneys of the fund in real estate investments if the following conditions are satisfied:

(i) The system has received a favorable and appropriate recommendation from a qualified, independent expert in investment management or analysis in that particular type of real estate investment;

(ii) the real estate investment is consistent with the system's investment policies and objectives as provided in subsection (6); and

(iii) the system has received and considered the investment manager's due diligence findings.

(6)(a) Subject to the objective set forth in subsection (3) and the standards set forth in subsections (4) and (5) the board shall formulate policies and objectives for the investment and reinvestment of moneys in the fund and the acquisition, retention, management and disposition of investments of the fund. Such policies and objectives shall include:

~~(a)~~(i) Specific asset allocation standards and objectives;

~~(b)~~(ii) establishment of criteria for evaluating the risk versus the potential return on a particular investment;

~~(c)~~(iii) a requirement that all investment managers submit such manager's due diligence findings on each investment to the board or investment advisory committee for approval or rejection prior to making any alternative investment;

~~(d)~~(iv) a requirement that all investment managers shall immediately report all instances of default on investments to the board and provide the board with recommendations and options, including, but not limited to, curing the default or withdrawal from the investment; and

~~(e)~~(v) establishment of criteria that would be used as a guideline for determining when no additional add-on investments or reinvestments would be made and when the investment would be liquidated.

(b) The board shall review such policies and objectives, make changes considered necessary or desirable and readopt such policies and objectives on an annual basis.

(7) The board may enter into contracts with one or more persons whom the board determines to be qualified, whereby the persons undertake to perform the functions specified in subsection (2) to the extent provided in the contract. Performance of functions under contract so entered into shall be paid pursuant to rates fixed by the board subject to provisions of appropriation acts and shall be based on specific contractual fee arrangements. The system shall not pay or reimburse any expenses of persons contracted with pursuant to this subsection, except that after approval of the board, the system may pay approved investment related expenses subject to provisions

of appropriation acts. The board shall require that a person contracted with to obtain commercial insurance which provides for errors and omissions coverage for such person in an amount to be specified by the board, provided that such coverage 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 shall require a person contracted with 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, with corporate surety authorized to do business in this state. Such persons contracted with the board pursuant to this subsection and any persons contracted with such persons to perform the functions specified in subsection (2) shall be deemed to be agents of the board and the system in the performance of contractual obligations.

(8) (a) In the acquisition or disposition of securities, the board may rely on the written legal opinion of a reputable bond attorney or attorneys, the written opinion of the attorney of the investment counselor or managers, or the written opinion of the attorney general certifying the legality of the securities.

(b) The board shall employ or retain qualified investment counsel or counselors or may negotiate with a trust company to assist and advise in the judicious investment of funds as herein provided.

(9) (a) Except as provided in subsection (7) and this subsection, the custody of money and securities of the fund shall remain in the custody of the state treasurer, except that the board may arrange for the custody of such money and securities 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. The services provided by the banks or trust companies shall be paid pursuant to rates fixed by the board subject to provisions of appropriation acts.

(b) The state treasurer and the board shall collect the principal and interest or other income of investments or the proceeds of sale of securities in the custody of the state treasurer and pay same when so collected into the fund.

(c) The principal and interest or other income or the proceeds of sale of securities as provided in ~~clause (a) of this subsection (9)~~ shall be reported to the state treasurer and the board and credited to the fund.

(10) The board shall with the advice of the director of accounts and reports establish the requirements and procedure for reporting any and all activity relating to investment functions provided for in this act in order to prepare a record monthly of the investment income and changes made during the preceding month. The record will reflect a detailed summary of investment, reinvestment, purchase, sale and exchange transactions and such other information as the board may consider advisable to reflect a true accounting of the investment activity of the fund.

(11) The board shall provide for an examination of the investment program annually. The examination shall include an evaluation of current investment policies and practices and of specific investments of the fund in relation to the objective set forth in subsection (3), the standard set forth in subsection (4) and other criteria as may be appropriate, and recommendations relating to the fund investment policies and practices and to specific investments of the fund as are considered necessary or desirable. The board shall include in its annual report to the governor as provided in K.S.A. 74-4907, and amendments thereto, a report or a summary thereof covering the investments of the

fund.

(12)-(a) Any internal assessment or examination of alternative investments of the system performed by any person or entity employed or retained by the board which evaluates or monitors the performance of alternative investments shall be reported to the legislative post auditor so that such report may be reviewed in accordance with the annual financial-compliance audits conducted pursuant to K.S.A. 74-49,136, and amendments thereto.

~~(b) The board shall prepare and submit an alternative investment report to the joint committee on pensions, investments and benefits prior to January 1, 2016. Such report shall include a review of alternative investments of the system with an emphasis on the effects of changes in law pursuant to this act and includes specific investment cost and market value information of each individual alternative investment.~~

Sec. 8. K.S.A. 2022 Supp. 74-4921 is hereby repealed.";

Also on page 2, in line 31, 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 line 2; in line 3, by striking all before the period and inserting "environmental, social and governance criteria involving public contracts and investments; enacting the Kansas public investments and contracts protection act; prohibiting the state or a political subdivision from giving preferential treatment to or discriminating against companies based on environmental, social and governance criteria in procuring or letting contracts; requiring fiduciaries of the Kansas public employees retirement system to act solely in the financial interest of participants and beneficiaries of the system; restricting state agencies from adopting environmental, social and governance criteria or requiring any person or business to operate in accordance with such criteria; providing for enforcement of such act by the attorney general; indemnifying the Kansas public employees retirement system with respect to actions taken in compliance with such act; amending K.S.A. 2022 Supp. 74-4921 and repealing the existing section";

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

MIKE THOMPSON

RICK KLOOS

Conferees on part of Senate

NICK HOHEISEL

WILLIAM CLIFFORD

Conferees on part of House

Senator Thompson moved the Senate adopt the Conference Committee Report on **HB 2100**.

On roll call, the vote was: Yeas 27; Nays 12; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Present and Passing: Pyle.

The Conference Committee Report was adopted.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **SB 17**.

The House adopts the Conference Committee report on **SB 85**.

The House concurs in Senate amendments to **HB 2236**, and requests return of the bill.

The House concurs in Senate amendments to **HB 2322**, and requests return of the bill.

The House concurs in Senate amendments to **HB 2214**, and requests return of the bill.

The House adopts the Conference Committee report to agree to disagree on **S Sub HB 2138**, and has appointed Representatives Thomas, Estes and Stogsdill as second conferees on the part of the House.

The House announced the appointment of Representatives W. Carpenter, Humphries and Hoye to replace Representatives Landwehr, Eplee and S. Ruiz as conferees on **S Sub HB 2390**.

The House announced the appointment of Representatives W. Carpenter, Humphries and Hoye to replace Representatives Sutton, Penn and Neighbor as conferees on **SB 26**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 17** 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 33 and inserting:

"New Section 1. (a) The governing body of any city that satisfies the definition of such term under K.S.A. 12-5242(a)(2), and amendments thereto, is hereby authorized to designate reinvestment housing incentive districts within such city subject to the limitations of this section. Such city shall be subject to the provisions of K.S.A. 12-5244 through 12-5252, and amendments thereto.

(b) (1) The governing body of a city establishing a reinvestment housing incentive district under this section shall not:

(A) Designate more than 100 units within such district as for-sale units in one year or more than 100 units within such district as for-rent units in one year; and

(B) designate more than 50 units within such district associated with a single project as for-sale units in one year or more than 50 units within such district associated with a single project as for-rent units in one year.

(2) Units designated as for-sale units may be redesignated as for-rent units by the governing body if such units have not been sold within six months after the certificate of occupancy is granted.

(3) The governing body may designate for-sale and for-rent units for succeeding years as part of a proposed multi-phased, multi-year development plan adopted pursuant to K.S.A. 12-5246, and amendments thereto.

(c) The average size of each residence constructed per project within a reinvestment housing incentive district established under this section shall not exceed

1,650 square feet. The square footage shall be calculated excluding any garage area or other exterior area, such as porches, patios or unattached storage buildings.

(d) The provisions of this section shall be a part of and supplemental to the Kansas reinvestment housing incentive district act.

Sec. 2. K.S.A. 12-5241 is hereby amended to read as follows: 12-5241. ~~This act. The provisions of K.S.A. 12-5241 through 12-5256, and amendments thereto, and section 1, and amendments thereto,~~ shall be known and may be cited as the Kansas ~~rural~~ reinvestment housing incentive district act.

Sec. 3. K.S.A. 12-5242 is hereby amended to read as follows: 12-5242. Except as otherwise provided, as used in K.S.A. 12-5241 through 12-5251, and amendments thereto, and K.S.A. 12-5252 through 12-5258, and amendments thereto:

(a) "City" means the city of Topeka or any city incorporated in accordance with Kansas law:

(1) With a population of less than 60,000, as certified to the secretary of state by the director of the division of the budget on the previous July 1 in accordance with K.S.A. 11-201, and amendments thereto; ~~or~~

(2) for the purposes of a project subject to section 1, and amendments thereto, with a population of 60,000 or more, as certified to the secretary of state by the director of the budget on the previous July 1 in accordance with K.S.A. 11-201, and amendments thereto, except the city of Topeka; or

(3) for purposes of a project as defined in K.S.A. 12-5249(a)(11), and amendments thereto, within a qualified census tract, "city" includes any city with a qualified census tract located within the city.

(b) "City housing authority" means any agency of a city created pursuant to the municipal housing law, K.S.A. 17-2337 et seq., and amendments thereto.

(c) "Corporation" means the Kansas housing resources corporation.

(d) "County" means any county organized in accordance with K.S.A. 18-101 et seq., and amendments thereto:

(1) With a population of less than ~~80,000~~ 85,000, as certified to the secretary of state by the director of the division of the budget on the previous July ~~4~~ 1 in accordance with K.S.A. 11-201, and amendments thereto; or

(2) for purposes of a project as defined in K.S.A. 12-5249(a)(11), and amendments thereto, within a qualified census tract, "county" includes any county with a qualified census tract located within the county.

(e) "Developer" means the person, firm or corporation responsible under an agreement with the governing body to develop housing or related public facilities in a district.

(f) "District" means a ~~rural~~ reinvestment housing incentive district established in accordance with this act.

(g) "Governing body" means the board of county commissioners of any county or the mayor and council, mayor and commissioners or board of commissioners, as the laws affecting the organization and status of cities affected may provide.

(h) "Housing development activities" means the construction or rehabilitation of infrastructure necessary to support construction of new residential dwellings and the actual construction of such residential dwellings, if such construction is conducted by a city housing authority.

(i) "Secretary" means the secretary of commerce of the state of Kansas.

(j) "Qualified census tract" means an economically distressed urban area that is a qualified census tract as defined and designated by the United States department of housing and urban development.

(k) "Real property taxes" means and includes all taxes levied on an ad valorem basis upon land and improvements thereon.

(l) "Taxing subdivision" means the county, the city, the unified school district, and any other taxing subdivision levying real property taxes, the territory or jurisdiction of which includes any currently existing or subsequently created ~~rural~~ reinvestment housing incentive district.

Sec. 4. K.S.A. 12-5243 is hereby amended to read as follows: 12-5243. It is hereby declared to be the purpose of this act to encourage the development and renovation of housing in ~~the rural~~ cities and counties of Kansas by authorizing cities and counties to assist directly in the financing of public improvements that will support such housing in ~~rural~~ areas of Kansas ~~which that~~ experience a shortage of housing.

Sec. 5. K.S.A. 12-5244 is hereby amended to read as follows: 12-5244. (a) The governing body of any city or county is hereby authorized to designate ~~rural~~ reinvestment housing incentive districts within such city or county. Any city governing body may designate one or more such districts in such city, and any county governing body may designate one or more such districts in any part of the unincorporated territory of such county. Prior to making such a designation, the governing body shall conduct a housing needs analysis to determine what, if any, housing needs exist within its community. After conducting the analysis, the governing body shall adopt a resolution containing a legal description of the proposed district, a map depicting the existing parcels of real estate in the proposed district, and a statement of the following findings and determinations:

(1) There is a shortage of quality housing of various price ranges in the city or county despite the best efforts of public and private housing developers;

(2) the shortage of quality housing can be expected to persist and that additional financial incentives are necessary in order to encourage the private sector to construct or renovate housing in such city or county;

(3) the shortage of quality housing is a substantial deterrent to the future economic growth and development of such city or county; and

(4) the future economic well-being of the city or county depends on the governing body providing additional incentives for the construction or renovation of quality housing in such city or county.

(b) The resolution containing the findings contained in subsection (a) shall be published at least once in the official newspaper of the city or county.

(c) Upon publication of the resolution as provided in subsection (b), the governing body shall send a certified copy of the resolution to the secretary, requesting that the secretary review the resolution and advise the governing body whether the secretary agrees with the findings contained therein. If the secretary advises the governing body in writing that the secretary agrees with each of the findings of the governing body, the governing body may proceed to establish the district as set forth in this act. If the secretary fails to agree with the findings, the secretary shall advise the governing body in writing of the specific reasons therefor.

Sec. 6. K.S.A. 12-5247 is hereby amended to read as follows: 12-5247. (a) Any governing body ~~which that~~ has established a ~~rural~~ reinvestment housing incentive

district as provided in this act may purchase or otherwise acquire real property; however, the property may not be acquired through the exercise of the power of eminent domain. Relocation assistance payments shall be provided by the city or county in accordance with the provisions of K.S.A. 12-1777, and amendments thereto, to any tenants required to be relocated as a result of the acquisition of such property for any project in the district.

(b) Any property acquired by a city or county under this act may be sold or leased to any developer, in accordance with the ~~rural reinvestment~~ housing incentive plan and under such conditions as shall have been agreed to prior to the adoption of the plan. The city or county and the developer may agree to any additional terms and conditions, but if the developer requests to be released from any obligations agreed to and embodied in the plan, such release shall constitute a substantial change and subject to the requirements provided in ~~subsection (b) of K.S.A. 12-5246(b), and amendments thereto.~~

Sec. 7. K.S.A. 12-5249 is hereby amended to read as follows: 12-5249. (a) Any city or county that has established a ~~rural reinvestment~~ housing incentive district may use the proceeds of special obligation bonds issued under K.S.A. 12-5248, and amendments thereto, or any uncommitted funds derived from those sources of revenue set forth in K.S.A. 12-5248(a)(1), and amendments thereto, to implement specific projects identified within the ~~rural reinvestment~~ housing incentive district plan including, without limitation:

(1) Acquisition of property within the specific project area or areas as provided in K.S.A. 12-5247, and amendments thereto;

(2) payment of relocation assistance;

(3) site preparation;

(4) sanitary and storm sewers and lift stations;

(5) drainage conduits, channels and levees;

(6) street grading, paving, graveling, macadamizing, curbing, guttering and surfacing;

(7) street lighting fixtures, connection and facilities;

(8) underground gas, water, heating, and electrical services and connections located within the public right-of-way;

(9) sidewalks;

(10) water mains and extensions; ~~and~~

(11) renovation of buildings or other structures more than 25 years of age primarily for residential use located in a central business district or in a business or commercial district within a qualified census tract as approved by the secretary of commerce. Certification of the age of the building or other structure shall be submitted to the secretary by the governing body of the city or county with the resolution as provided by K.S.A. 12-5244, and amendments thereto. Eligible residential improvements shall include only improvements made to the second or higher floors of a building or other structure. Improvements for commercial purposes shall not be eligible; ~~and~~

(12) renovation or construction of residential dwellings, multi-family units or buildings or other structures exclusively for residential use located on existing lots if:

(A) The infrastructure, including streets, sewer, water and utilities, has been in existence for at least 10 years; or

(B) the existing lot has been subject to any tax assessment levied pursuant to chapter 12, article 6a or chapter 19, article 27 of the Kansas Statutes Annotated, and

amendments thereto, because such lot is located in an improvement district established pursuant to chapter 12, article 6a or chapter 19, article 27 of the Kansas Statutes Annotated, and amendments thereto.

(b) None of the proceeds from the sale of special obligation bonds issued under K.S.A. 12-5248, and amendments thereto, shall be used for the construction of buildings or other structures to be owned by or to be leased to any developer of a residential housing project within the district, except for buildings or other structures located in a central business district or in a business or commercial district within a qualified census tract as approved by the secretary of commerce.

Sec. 8. K.S.A. 12-5252 is hereby amended to read as follows: 12-5252. (a) Any city that prior to July 1, 2013, is located, in whole or in part, within the boundaries of a county designated by the United States federal emergency management agency under major disaster declaration FEMA-1711-DR or FEMA-1699, as eligible to receive individual or public assistance from the United States federal government that desires to designate a rural reinvestment housing incentive district pursuant to this act or such county shall be exempt from the provisions of ~~subsection (e) of~~ K.S.A. 12-5244(c), and amendments thereto, and may adopt a plan for a designated rural reinvestment housing incentive district without the approval of the secretary and without conducting a public hearing on such proposed plan.

(b) For any city in a county declared by the governor to be a state of disaster after January 1, 2008, or such county if the governor finds that such disaster resulted in the destruction of a significant amount of residential housing in such city or county the governor may designate such city or county to exercise the exemption authorized by subsection (a) for a period of five years from the date of the declaration of a state of disaster.

(c) Nothing in this section shall be construed so as to exempt a city or county from any other requirement set forth in this act, or to limit any of the rights, duties and privileges of a city or county under any other provisions of this act.

Sec. 9. K.S.A. 2022 Supp. 79-32,313 is hereby amended to read as follows: 79-32,313. (a) (1) For tax year 2022 and all tax years thereafter, a credit against the income tax liability imposed pursuant to the Kansas income tax act, the privilege tax liability imposed upon any national banking association, state bank, trust company or savings and loan association pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, or the premium tax liability imposed upon an insurance company pursuant to K.S.A. 40-252, and amendments thereto, shall be allowed to:

(A) A qualified investor for a cash investment in a qualified housing project that has been approved and issued a tax credit by the director. The tax credit may be claimed in its entirety in the taxable year the cash investment is made; and

(B) a project builder or developer of a qualified housing project that has been approved and issued a tax credit by the director.

(2) To claim such tax credit, the qualified investor ~~or~~, project builder or developer or transferee shall provide all information or documentation in the form and manner required by the secretary of revenue. If the amount of the credit exceeds the taxpayer's tax liability in any one taxable year, the remaining portion of the credit may be carried forward in the succeeding taxable years until the total amount of the credit is used, except that no credit may be claimed after four taxable years next succeeding the

taxable year that such credit was issued, and any remaining credit shall be forfeited. Any portion of the credit that is carried forward may be transferred pursuant to subsection (d) and claimed by the transferee in the same manner as the transferor.

(b) (1) Tax credits may be issued by the director for a qualified housing project as follows:

(A) For qualified housing projects located in a county with a population of not more than 8,000, in an amount not to exceed \$35,000 per residential unit;

(B) for qualified housing projects located in a county with a population of more than 8,000 but not more than 25,000, in an amount not to exceed \$32,000 per residential unit; and

(C) for all other qualified housing projects, in an amount not to exceed \$30,000.

(2) A qualified housing project shall be limited to a total of 40 such residential units per year for both single-family and multi-family dwellings.

(3) Tax credits may be issued to a qualified investor in the amount of a cash investment of up to the total amount that may be issued by the director under this subsection for the qualified housing project, or as provided in the agreement required by K.S.A. 2022 Supp. 79-32,312, and amendments thereto. Project builders or developers may apply to the director each year for tax credits for additional units or phases of a project. Qualified investors may be issued tax credits for cash investments in multiple qualified housing projects. Project builders or developers may apply and be approved for multiple qualified housing projects in the same tax year.

(4) The aggregate amount of tax credits that may be issued under this section shall not exceed \$13,000,000 each tax year, except that if the director issues an aggregate amount of tax credits in one tax year that is less than \$13,000,000, then the director may carry forward the difference and issue such amount of tax credits in the immediately succeeding tax year in addition to the statutory amount that may be issued under this section. Of the aggregate amount of tax credits issued in one tax year, the director shall allocate:

(A) Not less than \$2,500,000 in tax credits for qualified housing projects located in counties with a population of not more than 8,000;

(B) not less than \$2,500,000 in tax credits for qualified housing projects located in counties with a population of more than 8,000 but not more than 25,000; and

(C) up to \$8,000,000 in tax credits for qualified housing projects located in counties with a population of more than 25,000 but not more than 75,000.

(c) A cash investment in a qualified housing project shall be deemed to have been made on the date of acquisition of the qualified security, as such date is determined by the director.

(d) ~~Any qualified investor without a current tax liability at the time of the investment in a qualified housing project that does not reasonably believe such investor will owe any such tax for the current taxable year and who receives a tax credit pursuant to this section shall be deemed to acquire an interest in the nature of a transferable credit limited to the amount of the credit issued to the qualified investor by the director. This interest. All or a portion of such credit may be transferred by the qualified investor or any subsequent transferee to any person one or more persons whether or not such person transferee is then a qualified investor and be claimed by the transferee as a credit against the transferee's Kansas tax liability in the same manner as the transferor beginning in the year the credit is transferred. The credit may be carried~~

forward as permitted by subsection (a). There shall be no limit on the number of times a credit or any portion thereof can be transferred. No person shall be entitled to a refund for any interest on such tax credit that may be created under this section. ~~Only the full amount of the tax credit for any one qualified housing project investment may be transferred and may only be transferred one time.~~ A credit acquired by transfer shall be subject to the limitations prescribed in this section. Any such transferee succeeds to all remaining rights and restrictions of the transferor with respect to the credit being transferred on the date of such transfer. Documentation of any credit acquired by transfer shall be provided by the taxpayer claiming such credit in the manner required by the secretary of revenue. The qualified investor or subsequent transferee transferring such credit shall provide the director and the secretary of revenue with the name, address and taxpayer identification number of each person to whom ~~tax~~ credits have been transferred and such other information as may be required by the director or the secretary of revenue. The provisions of this subsection shall apply to credits issued for tax year 2022 and all tax years thereafter.

(e) The secretary of revenue may adopt rules and regulations as necessary to implement and administer the provisions of this act.

(f) For purposes of calculating any tax due under K.S.A. 40-253, and amendments thereto, the credit allowed by this section shall be treated as a tax paid under K.S.A. 40-252, and amendments thereto.

Sec. 10. K.S.A. 12-5241, 12-5242, 12-5243, 12-5244, 12-5247, 12-5249 and 12-5252 and K.S.A. 2022 Supp. 79-32,313 are hereby repealed.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, by striking all after "concerning"; by striking all in lines 2 through 5; in line 6, by striking all before the period and inserting "housing; expanding the use of bond proceeds under the Kansas reinvestment housing incentive district act; transferability of income, privilege and premium tax credits issued under the Kansas housing investor tax credit act; amending K.S.A. 12-5241, 12-5242, 12-5243, 12-5244, 12-5247, 12-5249 and 12-5252 and K.S.A. 2022 Supp. 79-32,313 and repealing the existing sections";

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

NICK HOHEISEL
LAURA WILLIAMS
RUI XU

Conferees on part of House

JEFF LONGBINE
MICHAEL FAGG
CINDY HOLSCHER

Conferees on part of Senate

Senator Olson moved the Senate adopt the Conference Committee Report on **SB 17**.

Upon the showing of ten hands a motion to Call the Question was requested. Division was requested and the motion carried.

On roll call, the vote was: Yeas 31; Nays 9; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Sykes, Ware, Wilborn.

Nays: Baumgardner, Erickson, Gossage, Peck, Steffen, Straub, Thompson, Tyson, Warren.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 85** 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 16, following line 20, by inserting:

"Sec. 12. K.S.A. 75-6513 is hereby amended to read as follows: 75-6513. (a) ~~The health care benefits program fund is hereby abolished and any reference to the health care benefits program fund in any statute, contract or other document shall be deemed to be a reference to the cafeteria benefits fund established by this section. There is hereby created in the state treasury the cafeteria benefits fund. On the effective date of this act, the director of accounts and reports shall transfer all moneys in the health care benefits program fund to the cafeteria benefits fund and all liabilities of the health care benefits program fund are hereby transferred to and imposed upon the cafeteria benefits fund.~~

(b) The cost of the state ~~health care~~ healthcare benefits program, including the costs of administering the program, shall be paid from the cafeteria benefits fund. ~~The cost of the long-term care insurance, including the costs of administration, purchased pursuant to K.S.A. 75-6523, and amendments thereto, shall be paid from the cafeteria benefits fund.~~ The Kansas state employees health care commission shall remit all moneys received by or for the commission pursuant to the state ~~health care~~ healthcare benefits program ~~or from the purchase of long-term care insurance~~ 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 cafeteria benefits fund.

(c) Each state agency shall pay into the cafeteria benefits fund amounts specified by the secretary of administration to pay for costs of administering the cafeteria plan as provided by law, including the costs of benefits provided thereunder.

(d) All expenditures from the cafeteria benefits fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by: (1) The chairperson of the Kansas state employees health care commission or by a person or persons designated by the chairperson, for expenditures relating to the ~~health care~~ state healthcare benefits program; and (2) the secretary of administration or by a person or persons designated by the secretary, for expenditures relating to administering the cafeteria plan as provided by law, including the costs of benefits provided thereunder. The director of accounts and reports shall issue warrants pursuant to vouchers approved under this section for payments from the cafeteria benefits fund notwithstanding the fact that claims for such payments were not

submitted or processed for payment from money appropriated for the fiscal year in which the fund first became liable to make such payments.";

Also on page 16, in line 21, by striking "is" and inserting "and 75-6513 are"; also on line 21, after "repealed" by inserting "; also repealing K.S.A. 75-6521, 75-6522 and 75-6523"; in line 23, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "travel"; in line 3, after the first semicolon by inserting "relating to insurance for state employees;"; in line 6, after the second semicolon by inserting "eliminating the requirement that the Kansas state employee health care commission offer long-term care insurance and indemnity insurance;"; in line 7, after "40-4903" by inserting "and 75-6513"; also in line 7, by striking "section" and inserting "sections; also repealing K.S.A. 75-6521, 75-6522 and 75-6523";

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

BILL SUTTON

PATRICK PENN

CINDY NEIGHBOR

Conferees on part of House

JEFF LONGBINE

MICHAEL FAGG

CINDY HOLSCHER

Conferees on part of Senate

Senator Longbine moved the Senate adopt the Conference Committee Report on **SB 85**.

On roll call, the vote was: Yeas 36; Nays 4; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Pyle, Shallenburger, Steffen, Tyson.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2014** submits the following report:

The Senate recedes from all of its amendments to the bill, and your committee on conference further agrees to amend the bill as introduced, as follows:

On page 1, by striking all in lines 6 through 12; following line 12, by inserting:

"Section 1. K.S.A. 44-918 is hereby amended to read as follows: 44-918. (a) The state fire marshal may appoint a chief inspector and one or more deputy inspectors who shall be in the unclassified civil service and shall receive such compensation as prescribed by the state fire marshal, subject to the approval of the governor.

(b) The chief inspector and deputy inspectors shall serve under the direction of the

state fire marshal. The state fire marshal, chief inspector and other duly authorized representatives of the state fire marshal are hereby charged, directed and empowered:

(1) To take action necessary for the enforcement of this act and of the rules and regulations adopted hereunder;

(2) to maintain a complete record of all boilers and pressure vessels to which this act applies, which record shall include the name and address of each owner or user and the type, dimensions, maximum allowable working pressure, age and last recorded inspection of each such boiler or pressure vessel;

(3) to publish and make available copies of rules and regulations adopted hereunder to any person requesting them;

(4) to issue, or to suspend or revoke for cause, inspection certificates as provided in K.S.A. 44-924, and amendments thereto; and

(5) to cause the prosecution of all violators of the provisions of this act or of the rules and regulations adopted hereunder.

~~(c) (1) A chief inspector shall:~~

~~(A) Have not less than five years of experience in the construction, installation, repair, operation or inspection of boilers, steam generators, super-heaters or pressure vessels; and~~

~~(B) hold a commission issued by the national board of boiler and pressure vessel inspectors, and have the following: (i) An in-service commission; (ii) an "A" endorsement; and (iii) a "B" endorsement. If the chief inspector does not have a "B" endorsement, then the chief inspector shall have the ability to acquire a "B" endorsement within 18 months after appointment as chief inspector.~~

~~(2) A deputy inspector shall:~~

~~(A) (i) Have completed courses and training and have experience in the construction, installation, repair, operation or inspection of boilers or pressure vessels, which in the aggregate amounts to not less than two years of time spent on education, training and work experience; or~~

~~(ii) have not less than five years of experience in the heating, ventilation, air conditioning or plumbing fields related to the installation or repair of boilers or pressure vessels; and~~

~~(B) hold an in-service commission issued by the national board of boiler and pressure vessel inspectors. If the deputy inspector does not have an in-service commission, then the deputy inspector shall have the ability to acquire such commission within 12 months after appointment as deputy inspector.~~

Sec. 2. K.S.A. 2022 Supp. 65-2891 is hereby amended to read as follows: 65-2891.

(a) Any healthcare provider who in good faith renders emergency care or assistance at the scene of an emergency or accident including treatment of a minor without first obtaining the consent of the parent or guardian of such minor shall not be liable for any civil damages for acts or omissions other than damages occasioned by gross negligence or by willful or wanton acts or omissions by such person in rendering such emergency care.

(b) Any healthcare provider may render in good faith emergency care or assistance, without compensation, to any minor requiring such care or assistance as a result of having engaged in competitive sports, without first obtaining the consent of the parent or guardian of such minor. Such healthcare provider shall not be liable for any civil damages other than damages occasioned by gross negligence or by willful or wanton

acts or omissions by such person in rendering such emergency care.

(c) Any healthcare provider may in good faith render emergency care or assistance during an emergency that occurs within a hospital or elsewhere, with or without compensation, until such time as the physician employed by the patient or by the patient's family or by guardian assumes responsibility for such patient's professional care. The healthcare provider rendering such emergency care shall not be held liable for any civil damages other than damages occasioned by negligence.

(d) ~~Any provision herein contained notwithstanding~~ Except as otherwise provided, the ordinary standards of care and rules of negligence shall apply in those cases wherein emergency care and assistance is rendered in any physician's or dentist's office, clinic, emergency room or hospital with or without compensation.

(e) As used in this section ~~the term,~~ "healthcare provider" means any person licensed to practice any branch of the healing arts, licensed dentist, licensed optometrist, licensed professional nurse, licensed practical nurse, licensed podiatrist, licensed pharmacist, licensed physical therapist, ~~and any licensed~~ physician assistant who has successfully completed an American medical association approved training program and has successfully completed the national board examination for physician assistants of the American board of medical examiners, any licensed athletic trainer, any licensed occupational therapist, any licensed respiratory therapist, any person who holds a valid emergency medical service provider's certificate under K.S.A. 65-6129, and amendments thereto, any person who holds a valid certificate for the successful completion of a course in first aid offered or approved by the American red cross, by the American heart association, by the mining enforcement and safety administration of the bureau of mines of the department of interior, by the national safety council ~~or by any instructor-coordinator, as defined in K.S.A. 65-6112, and amendments thereto, and by~~ the emergency medical services board or any person engaged in a postgraduate training program approved by the state board of healing arts.

Sec. 3. K.S.A. 2022 Supp. 65-6102 is hereby amended to read as follows: 65-6102.

(a) There is hereby established the emergency medical services board. The office of the emergency medical services board shall be located in the city of Topeka, Kansas.

(b) The emergency medical services board shall be composed of 15 members to be appointed as follows:

(1) Eleven members shall be appointed by the governor. Of such members:

(A) Three shall be physicians who are actively involved in emergency medical services;

(B) two shall be county commissioners of counties making a levy for ambulance service, at least one of whom shall be from a county having a population of ~~less~~ fewer than 15,000;

(C) ~~one shall be an instructor-coordinator actively involved in teaching initial courses of instruction for certification as an emergency medical service provider;~~

(D) one shall be a hospital administrator actively involved in emergency medical services;

(E) one shall be a member of a firefighting unit that provides emergency medical service; and

(F) three shall be emergency medical service providers who are actively involved in emergency medical service. At least two classifications of emergency medical service providers shall be represented. At least one of such members shall be from a volunteer

emergency medical service; and

(2) four members shall be appointed as follows:

(A) One shall be a member of the Kansas senate to be appointed by the president of the senate;

(B) one shall be a member of the Kansas senate to be appointed by the minority leader of the senate;

(C) one shall be a member of the Kansas house of representatives to be appointed by the speaker of the house of representatives; and

(D) one shall be a member of the Kansas house of representatives to be appointed by the minority leader of the house of representatives.

(c) All members of the board shall be residents of the state of Kansas. Appointments to the board shall be made with due consideration that representation of the various geographical areas of the state is ensured. The governor may remove any member of the board upon recommendation of the board. Any person appointed to a position on the board shall forfeit such position upon vacating the office or position that qualified such person to be appointed as a member of the board.

(d) Members shall be appointed for terms of four years and until their successors are appointed and qualified. In the case of a vacancy in the membership of the board, the vacancy shall be filled for the unexpired term.

(e) The board shall meet at least four times annually and at least once each quarter and at the call of the chairperson or at the request of the executive director of the emergency medical services board or of any seven members of the board. At the first meeting of the board after January 1 each year, the members shall elect a chairperson and a ~~vice chairperson~~ vice chairperson who shall serve for a term of one year. The ~~vice chairperson~~ vice chairperson shall exercise all of the powers of the chairperson in the absence of the chairperson. If a vacancy occurs in the office of the chairperson or ~~vice chairperson~~ vice chairperson, the board shall fill such vacancy by election of one of its members to serve the unexpired term of such office. Members of the board attending meetings of the board or attending a subcommittee meeting thereof authorized by the board shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto.

(f) Except as otherwise provided by law, all vouchers for expenditures and all payrolls of the emergency medical services board shall be approved by the emergency medical services board or a person designated by the board.

Sec. 4. K.S.A. 2022 Supp. 65-6112 is hereby amended to read as follows: 65-6112. As used in 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)~~(m) "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)~~(n) "Medical protocols" 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.

~~(p)~~(o) "Municipality" means any city, county, township, fire district or ambulance service district.

~~(q)~~(p) "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)~~(q) "Operator" means a person or municipality who has a permit to operate an ambulance service in the state of Kansas.

~~(s)~~(r) "Paramedic" means a person who holds a paramedic certificate issued pursuant to this act.

~~(t)~~(s) "Person" means an individual, a partnership, an association, a joint-stock company or a corporation.

~~(u)~~(t) "Physician" means a person licensed by the state board of healing arts to practice medicine and surgery.

~~(v)~~(u) "Physician assistant" means a physician assistant as defined in K.S.A. 65-28a02, and amendments thereto.

~~(w)~~(v) "Professional nurse" means a licensed professional nurse as defined by K.S.A. 65-1113, and amendments thereto.

~~(x)~~(w) "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. 5. K.S.A. 2022 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 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 who renders emergency care during an emergency pursuant to instructions given by a physician, 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.

~~(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 provides medical oversight shall be liable for any civil damages as a result of such medical oversight, except such damages that may result from gross negligence in the provision of such medical oversight.

Sec. 6. K.S.A. 2022 Supp. 65-6150 is hereby amended to read as follows: 65-6150.

(a) It shall be unlawful for any individual to represent oneself as an emergency medical service provider ~~or instructor-coordinator~~ unless such individual holds a valid certificate as such under this act.

(b) Any violation of subsection (a) shall constitute a class B misdemeanor.

Sec. 7. K.S.A. 44-918 and K.S.A. 2022 Supp. 65-2891, 65-6102, 65-6112, 65-6124, 65-6129b and 65-6150 are hereby repealed.";

And by renumbering sections accordingly;

Also on page 1, in the title, in line 1, by striking all after "concerning"; by striking all in line 2; in line 3, by striking "highway" and inserting "certain state public health and safety personnel; relating to the state fire marshal; eliminating the statutory qualifications of the chief inspector and deputy inspector for boiler safety; relating to emergency medical services; eliminating the designation and certification of instructor-coordinators; amending K.S.A. 44-918 and K.S.A. 2022 Supp. 65-2891, 65-6102, 65-6112, 65-6124 and 65-6150 and repealing the existing sections; also repealing K.S.A. 2022 Supp. 65-6129b";

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

MIKE THOMPSON

RICK KLOOS

OLETHA FAUST GOUDEAU

Conferees on part of Senate

WILL CARPENTER
 TOM KESSLER
 JO ELLA HOYE

Conferees on part of House

Senator Thompson moved the Senate adopt the Conference Committee Report on **HB 2014**.

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The Conference Committee Report was adopted.

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 amendments, as follows:

On page 1, following line 21, by inserting:

"Sec. 2. K.S.A. 32-837 is hereby amended to read as follows: 32-837. (a) The following parks have been designated as a part of the state park system: (1) Kanopolis-Mushroom Rock state park in Ellsworth county; (2) Cross Timbers state park at Toronto Lake in Woodson county; (3) Fall River state park in Greenwood county; (4) Cedar Bluff state park in Trego county; (5) Tuttle Creek state park in Pottawatomie and Riley counties; (6) Pomona state park in Osage county; (7) Cheney state park in Kingman and Reno counties; (8) Lake Crawford state park in Crawford county; (9) Lovewell state park in Jewell county; (10) Lake Meade state park in Meade county; (11) Prairie Dog state park in Norton county; (12) Webster state park in Rooks county; (13) Wilson state park in Russell county; (14) Milford state park in Geary county; (15) Historic Lake Scott state park in Scott county; (16) Elk City state park in Montgomery county; (17) Perry state park in Jefferson county; (18) Glen Elder state park in Mitchell county; (19) El Dorado state park in Butler county; (20) Eisenhower state park in Osage county; (21) Clinton state park in Douglas and Shawnee counties; (22) Sand Hills state park in Reno county; (23) Hillsdale state park in Miami county; (24) Kaw River state park in Shawnee county; (25) Prairie Spirit rail trail state park in Franklin, Anderson and Allen counties; (26) Flint Hills trail state park in Miami, Franklin, Osage, Lyon, Morris and Dickinson counties; ~~and~~ (27) Little Jerusalem Badlands state park in Logan county; and (28) Lehigh Portland state park in Allen county.

(b) No state park named in subsection (a) shall be removed from the state park system without legislative approval.

(c) The hours that Kaw River state park in Shawnee county is open to the public may be limited to those hours that parks of the city of Topeka are open, except that such state park shall be open at all hours for prescheduled events.

(d) The requirements found in K.S.A. 65-171d(j)(2), and amendments thereto, shall

not apply to subsection (a)(25) or (a)(26).

(e) For any state park listed in subsection (a) containing a recreational trail created pursuant to 16 U.S.C. § 1247(d), the Kansas department of wildlife, ~~and parks and tourism~~ shall carry out the duties listed in K.S.A. 58-3212(a)(1) through (a)(11), and amendments thereto.";

On page 8, in line 6, after "K.S.A." by inserting "32-837,";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the second semicolon by inserting "relating to recreation; designating Lehigh Portland state park as part of the state park system;"; in line 3, after "K.S.A." by inserting "32-837,";

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

RENEE ERICKSON

BRENDA DIETRICH

TOM HOLLAND

Conferees on part of Senate

KEN RAHJES

LISA MOSER

SYDNEY CARLIN

Conferees on part of House

Senator Dietrich moved the Senate adopt the Conference Committee Report on **HB 2039**.

On roll call, the vote was: Yeas 35; Nays 5; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Sykes, Tyson, Ware, Warren, Wilborn.

Nays: Baumgardner, Peck, Steffen, Straub, Thompson.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2302** 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. 2302, as follows:

On page 1, in line 20, after "invest" by inserting ", or in the state treasurer's discretion direct the pooled money investment board to invest,";

On page 2, in line 17, after "invest" by inserting ", or in the state treasurer's discretion direct the pooled money investment board to invest,";

On page 3, in line 6, by striking the colon; in line 7, by striking "(A)"; in line 10, by striking "(i)" and inserting "(A)"; in line 13, by striking "\$15,000,000" and inserting "\$12,000,000"; in line 15, by striking all after "thereto"; by striking all in lines 16 through 21; in line 22, by striking all before the period;

On page 4, following line 9, by inserting:

"(4) The Kansas water authority may direct the Kansas water office to provide funding pursuant to section 4 or 5, and amendments thereto, for the improvement of water infrastructure in an unincorporated area related to or serving a national park site or state historic site if the request for funding is made by a nonprofit organization or state agency that is willing to administer the moneys and oversee the project, and the Kansas water authority deems such applicant capable of successfully managing the project. Upon receipt of such a request, the Kansas water office may award moneys in any fiscal year prior to July 1, 2028, with such awarding of moneys to be made at the discretion of the Kansas water office.

(5) The Kansas water authority shall encourage the creation of grant programs for stockwatering conservation projects. Such grant programs shall prioritize the use of fees collected pursuant to K.S.A. 82a-954(a)(3), and amendments thereto.";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

Also on page 4, in line 23, by striking all after "15,000,000,"; by striking all in lines 24 through 26; in line 27, by striking all before the period and inserting "such excess moneys may be recommended for appropriation by the Kansas water authority for the same purposes that any other moneys in the state water plan fund are appropriated"; in line 34, by striking the comma; in line 35, by striking all before the second "or"; in line 39, by striking all after "municipality"; in line 40, by striking all before "or"; in line 43, by striking "and unincorporated areas";

On page 5, in line 9, by striking "and unincorporated areas"; in line 10, by striking all after "municipalities"; in line 11, by striking "areas"; in line 13, by striking "or unincorporated area"; in line 29, by striking "\$30,000,000" and inserting "\$35,000,000";

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

DAN KERSCHEN

MICHAEL FAGG

MARY WARE

Conferees on part of Senate

JIM MINNIX

CYNDI HOWERTON

LINDSAY VAUGHN

Conferees on part of House

Senator Fagg moved the Senate adopt the Conference Committee Report on **S Sub HB 2302**.

On roll call, the vote was: Yeas 38; Nays 1; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Holland.

Present and Passing: Baumgardner.
The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2336** 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 33, by inserting:

"Sec. 2. K.S.A. 75-1253 is hereby amended to read as follows: 75-1253. (a) (1) Whenever it becomes necessary in the judgment of the secretary of administration or in any case when the ~~total~~ construction cost of a project for the construction of a building or for major repairs or improvements to a building for a state agency is expected to exceed ~~\$1,000,000~~ the amount specified in paragraph (2), the secretary of administration shall convene a negotiating committee. The state building advisory commission shall prepare a list of at least three ~~and~~ but not more than five firms ~~which that~~ are, in the opinion of the state building advisory commission, qualified to serve as project architect, engineer or land surveyor for the project. Such list shall be submitted to the negotiating committee, without any recommendation of preference or other recommendation.

(2) The construction cost threshold to convene a negotiating committee as provided by paragraph (1) shall be \$1,500,000 for fiscal year 2024. For fiscal year 2025, and all fiscal years thereafter, the threshold to convene a negotiating committee shall be the threshold amount for the immediately preceding fiscal year increased by an amount equal to 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 during the immediately preceding fiscal year rounded to the nearest whole dollar amount.

(b) The secretary of administration may combine two or more separate projects for the construction of buildings or for major repairs or improvements to buildings for state agencies, for the purpose of procuring architectural, engineering or land surveying services for all such projects from a single firm. In each case, the combined projects shall be construed to be a single project for all purposes under the provisions of K.S.A. 75-1250 through 75-1267, and amendments thereto.

(c) (1) This section shall not apply to any repetitive project with a standard plan that was originally designed by the secretary of administration or an agency architect pursuant to K.S.A. 75-1254(a)(2) and (3), and amendments thereto. In such a case, the secretary of administration or the agency architect may provide architectural services for the repetitive project.

(2) "Repetitive project" means a project ~~which that~~ uses the same standard design as was used for a project constructed previously, including, but not limited to, sub-area shops and salt domes of the department of transportation and showers and toilet buildings of the Kansas department of wildlife; and parks and tourism. The plans for the project may be modified as required for current codes, operational needs or cost control. The total floor area of the project may be increased by an area of not more than 25% of the floor area of the originally constructed project, except that not more than 25% of the

linear feet of the exterior and interior walls may be moved for such increase. A project shall not be considered to be repetitive if it has been over four years between the substantial completion of the last project using the design plans and the appropriation of funds for the proposed project.

Sec. 3. K.S.A. 75-5804 is hereby amended to read as follows: 75-5804. (a) (1) Whenever it becomes necessary in the judgment of the agency head of a state agency for which a project is proposed and, in any case where the ~~total construction~~ cost of such a proposed project is expected to exceed ~~\$500,000~~ the amount specified in paragraph (2), the agency head shall convene a negotiating committee. Except as otherwise provided in subsection (b), the agency head shall submit the list of at least three ~~and but~~ not more than five of the most highly qualified firms to the negotiating committee so convened, without any recommendation of preference or other recommendation.

(2) The construction cost threshold to convene a negotiating committee as provided by paragraph (1) shall be \$1,500,000 for fiscal year 2024. For fiscal year 2025, and all fiscal years thereafter, the threshold to convene a negotiating committee shall be the threshold amount for the immediately preceding fiscal year increased by an amount equal to 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 during the immediately preceding fiscal year rounded to the nearest whole dollar amount.

(b) Whenever a negotiating committee is convened under this section for a proposed project requiring engineering or land surveying services ~~which that~~ concerns the construction of any building or facility or any major repairs or improvements to any building or facility, including but not limited, to any heating, cooling or power facility, for a state agency, the agency head for the state agency shall notify the state building advisory commission of the project and shall request a list of firms qualified to provide the engineering or land surveying services for the proposed project. Upon receipt of any such request the state building advisory commission shall evaluate the current statements of qualifications and performance data on file, together with those statements that may be submitted by other firms regarding the proposed project and other information developed and available to the state building advisory commission. The commission shall prepare a list of at least three ~~and but~~ not more than five firms ~~which that~~, in the opinion of the state building advisory commission, are qualified to furnish the engineering or land surveying services for the proposed project. Each such list shall be submitted to the negotiating committee so convened without any recommendation of preference or other recommendation.";

Also on page 3, in line 34, by striking "is" and inserting ", 75-1253 and 75-5804 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "the surplus" and inserting "governmental"; also in line 1, by striking "and public airport authority act"; in line 2, after "to" by inserting "public construction and improvement projects; increasing the"; also in line 2, by striking "; providing for increased bonding authority" and inserting "for public airport authorities for projects"; in line 6, after the semicolon by inserting "increasing the cost threshold for mandatory convening of a negotiating committee to obtain professional services for state construction projects; providing for an annual increase in such cost threshold based on the consumer price index; changing the

measure of such cost threshold from "total project cost" to "construction cost";"; also in line 6, after "27-334" by inserting ", 75-1253 and 75-5804"; in line 7, by striking "section" and inserting "sections";

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

RENEE ERICKSON

BRENDA DIETRICH

TOM HOLLAND

Conferees on part of Senate

SEAN TARWATER

JESSE BORJON

JASON PROBST

Conferees on part of House

Senator Dietrich moved the Senate adopt the Conference Committee Report on **HB 2336**.

On roll call, the vote was: Yeas 31; Nays 7; Present and Passing 2; Absent or Not Voting 0.

Yeas: Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Petersen, Pettey, Pittman, Reddi, Ryckman, Sykes, Ware, Wilborn.

Nays: Peck, Pyle, Shallenburger, Steffen, Straub, Thompson, Tyson.

Present and Passing: Alley, Warren.

The Conference Committee Report was adopted.

On motion of Senator Alley, the Senate recessed until 5:00 p.m.

EVENING SESSION

The Senate met pursuant to recess with Vice President Wilborn in the chair.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **H Sub SB 42**.

The House adopts the Conference Committee report on **SB 221**.

The House concurs in Senate amendments to **S Sub HB 2344**, and requests return of the bill.

The House concurs in Senate amendments to **HB 2325**, and requests return of the bill.

The House concurs in Senate amendments to **HB 2125**, and requests return of the bill.

The House adopts the Conference Committee report on **S Sub HB 2058**.

The House adopts the Conference Committee report on **S Sub HB 2170**.

The House adopts the Conference Committee report on **HB 2196**.

The House adopts the Conference Committee report to agree to disagree on **H Sub SB 113**, and has appointed Representatives Williams, K., Landwehr and Winn as second conferees on the part of the House.

The House adopts the Conference Committee report to agree to disagree on **S Sub HB 2010**, and has appointed Representatives Owens, Smith, E. and Highberger as second conferees on the part of the House

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on Senate amendments to **SB 113** 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

BRENDA LANDWEHR

VALDENIA WINN

Conferees on part of House

MOLLY BAUMGARDNER

RENEE ERICKSON

DINAH SYKES

Conferees on part of Senate

On motion of Senator Gossage the Senate adopted the conference committee report on **H Sub SB 113**, and requested a new conference be appointed.

The Vice President appointed Senators Baumgardner, Erickson and Sykes as a second Conference Committee on the part of the Senate on **H Sub SB 113**.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2390** 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.

BEVERLY GOSSAGE

RENEE ERICKSON

PAT PETTEY

Conferees on part of Senate

WILL CARPENTER

SUSAN HUMPHRIES

JO ELLA HOYE

Conferees on part of House

On motion of Senator Gossage the Senate adopted the conference committee report on **S Sub HB 2390**, and requested a new conference be appointed.

The Vice President appointed Senators Gossage, Erickson and Pettey as a second Conference Committee on the part of the Senate on **S Sub HB 2390**.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2184** 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 10 through 36;

By striking all on page 2;

On page 3, by striking all in lines 1 through 14; following line 14, by inserting:

"Section 1. (a) For the fiscal years ending June 30, 2023, June 30, 2024, June 30, 2025, June 30, 2026, June 30, 2027, and June 30, 2028, 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. (a) The department of corrections is hereby authorized and directed to pay the following amounts from the El Dorado correctional facility – facilities operations account of the state general fund for lost property to the following claimants:

Jeremy Johnson #71992	
Hutchinson Correctional Facility	
P.O. Box 1568	
Hutchinson, KS 67504.....	\$300.00
Mathew McDaniel #98722	
Larned Correctional and Mental Health Facility	
1318 KS Hwy #264	
Larned, KS 67550.....	\$29.22
Tarrance Noel #122162	
El Dorado Correctional Facility	
P.O. Box 311	
El Dorado, KS 67042.....	\$35.65
Sean McKenzie #104238	
El Dorado Correctional Facility	
P.O. Box 311	
El Dorado, KS 67042.....	\$22.95

(b) The department of corrections is hereby authorized and directed to pay the following amount from the Ellsworth correctional facility – facilities operations account of the state general fund for lost property to the following claimant:

John Stenberg #113332
Ellsworth Correctional Facility
P.O. Box 107

Ellsworth, KS 67439\$21.18

(c) The department of corrections is hereby authorized and directed to pay the following amounts from the Hutchinson correctional facility – facilities operations account of the state general fund for lost property to the following claimants:

Christopher Kern #123544
Larned Mental Health Correctional Facility
1318 KS Hwy 264
Larned, KS 67550.....\$59.43

Luis Rojas-Marceleno #94492
El Dorado Correctional Facility
P.O. Box 311
El Dorado, KS 67042.....\$108.20

Anthony McRoberts #0117607
Lansing Correctional Facility
P.O. Box 2
Lansing, KS 66043.....\$50.00

(d) The department of corrections is hereby authorized and directed to pay the following amounts from the Lansing correctional facility – facilities operations account of the state general fund for lost property to the following claimants:

Terry Bowen #71399
Lansing Correctional Facility
P.O. Box 2
Lansing, KS 66043.....\$250.00

Ray Floyd Garcia Jr. #6002627
El Dorado Correctional Facility
P.O. Box 311
El Dorado, KS 67042.....\$315.00

(e) The department of corrections is hereby authorized and directed to pay the following amount from the Norton correctional facility – facilities operations account of the state general fund for lost property to the following claimant:

Gary Ditges #25329
Norton Correctional Facility
P.O. Box 546
Norton, KS 67654.....\$50.00

Sec. 3. The Larned state hospital is hereby authorized and directed to pay the following amount from its operating expenditures account of the state general fund for lost property to the following claimant:

Gary D. Marks #42191
1301 KS Hwy 264
Larned, KS 67550.....\$680.00

Sec. 4. The adjutant general is hereby authorized and directed to pay the following amounts from existing resources for property damage to the following claimants:

Mathew Ayres
2 Will Ct.
Halstead, KS 67056.....\$592.00
Engelbert Sama Ade
6034 Painswick Dr.

Aubrey, TX 76227.....\$5,713.54

Sec. 5. The Kansas bureau of investigation is hereby authorized and directed to pay the following claimant from the operating expenditures account of the state general fund for property damage:

Jamy Hurren
P.O. Box 2985

Salina, KS 67402.....\$1,607.15

Sec. 6. The Kansas department of administration is hereby authorized and directed to pay the following claimants from the operating expenditures account of the state general fund for property damage:

Kenneth McGovern
4029 Harvard Road

Lawrence, KS 66049.....\$4,072.04

Michael Seastrom
2009 SW Bowman Court

Topeka, KS 66604.....\$1,989.45

Sec. 7. The department of revenue is hereby authorized and directed to pay the following amounts from the motor-vehicle fuel tax refund fund for claims not filed within the statutory filing period prescribed in K.S.A. 79-3458, and amendments thereto, to the following claimants:

Bohm Farm & Ranch, Inc.

632 S. Broadway

Salina, KS 67404.....\$1,119.58

Tom Geist

203 W Main St.

Victoria, KS 67671.....\$127.48

Johnson Feed, Inc.

305 W. Industrial

Canton, SD 57013.....\$2,854.33

Ottawa Bus Service, Inc.

1320 W. 149th St.

Olathe, KS 66061.....\$772.20

Pat Ringle

2658 260th Rd.

Emporia, KS 66801.....\$45.00

Mark Schmidt

906 W. 160th St.

Caldwell, KS 67022.....\$60.84

Clyde Sutton

9503 170th Rd.

Ness City, KS 67560.....\$359.64

Louis B. Vestring

9872 NE Stoney Crk Rd.

Cassoday, KS 66842.....\$1,585.66

Wichita Country Club

P.O. Box 8105

Wichita, KS 67208.....\$162.00

Sec. 8. (a) Except as otherwise provided by this act, the director of accounts and reports is hereby authorized and directed to draw warrants on the state treasurer in favor of the claimants specified in sections 2 through 7, and amendments thereto, upon vouchers duly executed by the state agencies directed to pay the amounts specified in such sections to the claimants or their legal representatives or duly authorized agents, as provided by law.

(b) The director of accounts and reports shall secure prior to the payment of any amount to any claimant, other than amounts authorized to be paid pursuant to section 7 as motor-vehicle fuel tax refunds or as transactions between state agencies as provided by this act, a written release and satisfaction of all claims and rights against the state of Kansas and any agencies, officers and employees of the state of Kansas regarding their respective claims.

Sec. 9.

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, 2024.....\$25,711

For the fiscal year ending June 30, 2025.....\$25,723

Sec. 10.

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, 2024.....\$482,372

Provided, That expenditures from the board of accountancy fee fund for the fiscal year ending June 30, 2024, for official hospitality shall not exceed \$1,400.

For the fiscal year ending June 30, 2025.....\$426,097

Provided, That expenditures from the board of accountancy fee fund for the fiscal year ending June 30, 2025, for official hospitality shall not exceed \$1,400.

Special litigation reserve fund (028-00-2715-2700)

For the fiscal year ending June 30, 2024.....No limit

Provided, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2024, 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, 2025.....No limit

Provided, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2025, 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, 2024, 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, 2024, shall not exceed \$20,000: *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, 2025, 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, 2025, shall not exceed \$20,000: *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. 11.

STATE BANK COMMISSIONER

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 8(b) of chapter 81 of the 2022 Session Laws of Kansas on the bank commissioner fee fund (094-00-2811) of the state bank commissioner is hereby increased from \$12,087,285 to \$12,554,267.

Sec. 12.

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, 2024.....	\$0
For the fiscal year ending June 30, 2025.....	\$0
Bank examination and investigation fund (094-00-2013-1010)	
For the fiscal year ending June 30, 2024.....	\$0
For the fiscal year ending June 30, 2025.....	\$0
Consumer education settlement fund (094-00-2560-2500)	

For the fiscal year ending June 30, 2024.....\$0
 For the fiscal year ending June 30, 2025.....\$0
 Litigation expense fund (094-00-2499-2499)
 For the fiscal year ending June 30, 2024.....\$0
 For the fiscal year ending June 30, 2025.....\$0

(b) During the fiscal years ending June 30, 2024, and June 30, 2025, 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 in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, and shall be credited to the consumer education settlement fund (094-00-2560-2500).

Sec. 13.

KANSAS BOARD OF BARBERING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 2(b) of chapter 97 of the 2022 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 \$180,840 to \$193,348.

Sec. 14.

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, 2024.....\$197,899

Provided, That expenditures from the board of barbering fee fund for the fiscal year ending June 30, 2024, for official hospitality shall not exceed \$500.

For the fiscal year ending June 30, 2025.....\$202,404

Provided, That expenditures from the board of barbering fee fund for the fiscal year ending June 30, 2025 for official hospitality shall not exceed \$500.

(b) Notwithstanding the provisions of K.S.A. 65-1817, and amendments thereto, or any other statute, during the fiscal years ending June 30, 2024, and June 30, 2025, 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 the above agency for fiscal years 2024 and 2025 as authorized by this or any other appropriation act of the 2023 or 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal years 2024 and 2025 to charge and collect a fee for the examination of an applicant to practice barbering in an amount not more than \$150.

Sec. 15.

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, 2024.....\$1,050,908

Provided, That expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2024, 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, 2024, for disciplinary hearings shall be in addition to any expenditure limitation imposed on the behavioral sciences regulatory board fee fund for fiscal year 2024.

For the fiscal year ending June 30, 2025.....\$1,073,817

Provided, That expenditures from the behavioral sciences regulatory board fee fund for the fiscal year ending June 30, 2025, 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, 2025, for disciplinary hearings shall be in addition to any expenditure limitation imposed on the behavioral sciences regulatory board fee fund for fiscal year 2025.

Coronavirus relief fund (102-00-3753)

For the fiscal year ending June 30, 2024.....No limit

For the fiscal year ending June 30, 2025.....No limit

(b) During the fiscal years ending June 30, 2024, and June 30, 2025, notwithstanding the provisions of any statute to the contrary, no expenditures shall be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal years 2024 and 2025, as authorized by this or any other appropriation act of the 2023 or 2024 regular session of the legislature, to adopt or impose, as a condition of obtaining or renewing licenses or permits, any incentives or requirements that applicants for such licensure or permit undergo, demonstrate familiarity with, or support any training, education, or instruction program that includes diversity, equity, inclusion, anti-racism, critical race theory or other related topics: *Provided, however*; That the provisions of this subsection shall not apply to equal opportunity or equal employment opportunity materials designed to inform individuals about the prohibition on discrimination based on protected status under state and federal law.

Sec. 16.

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, 2024.....\$7,024,154

Provided, That expenditures from the healing arts fee fund for the fiscal year ending June 30, 2024, 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, 2024, for disciplinary hearings shall be in addition to any expenditure limitation imposed on the healing arts fee fund for fiscal year 2024.

For the fiscal year ending June 30, 2025.....\$7,184,690

Provided, That expenditures from the healing arts fee fund for the fiscal year ending June 30, 2025, 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, 2025, for disciplinary hearings shall be in addition to any expenditure limitation imposed on the

healing arts fee fund for fiscal year 2025.

Medical records maintenance trust fund (105-00-7206-7200)

For the fiscal year ending June 30, 2024.....\$35,000

For the fiscal year ending June 30, 2025.....\$35,000

Sec. 17.

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, 2024.....\$1,234,651

Provided, That expenditures from the cosmetology fee fund for the fiscal year ending June 30, 2024, for official hospitality shall not exceed \$2,000.

For the fiscal year ending June 30, 2025.....\$1,234,928

Provided, That expenditures from the cosmetology fee fund for the fiscal year ending June 30, 2025, for official hospitality shall not exceed \$2,000.

Sec. 18.

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, 2024.....\$1,266,485

Provided, That expenditures from the credit union fee fund for the fiscal year ending June 30, 2024, for official hospitality shall not exceed \$300.

For the fiscal year ending June 30, 2025.....\$1,268,881

Provided, That expenditures from the credit union fee fund for the fiscal year ending June 30, 2025, for official hospitality shall not exceed \$300.

Sec. 19.

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, 2024.....\$560,000

Provided, That expenditures from the dental board fee fund for the fiscal year ending June 30, 2024, for official hospitality shall not exceed \$1,000.

For the fiscal year ending June 30, 2025..... \$565,000

Provided, That expenditures from the dental board fee fund for the fiscal year ending June 30, 2025, for official hospitality shall not exceed \$1,000.

Special litigation reserve fund (167-00-2749-2000)

For the fiscal year ending June 30, 2024.....No limit

Provided, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2024, 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, 2025.....No limit

Provided, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2025, 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. 20.

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, 2024.....\$322,934

Provided, That expenditures from the mortuary arts fee fund for the fiscal year ending June 30, 2024, for official hospitality shall not exceed \$500.

For the fiscal year ending June 30, 2025.....\$324,494

Provided, That expenditures from the mortuary arts fee fund for the fiscal year ending June 30, 2025, for official hospitality shall not exceed \$500.

Sec. 21.

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, 2024.....\$37,695

For the fiscal year ending June 30, 2025.....\$37,695

Hearing instrument litigation fund (266-00-2136-2136)

For the fiscal year ending June 30, 2024.....No limit

Provided, That no expenditures shall be made from the hearing instrument litigation fund for the fiscal year ending June 30, 2024, 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, 2025.....No limit

Provided, That no expenditures shall be made from the hearing instrument litigation fund for the fiscal year ending June 30, 2025, 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. 22.

BOARD OF NURSING

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 3(a) of chapter 97 of the 2022 Session Laws of Kansas on the board of nursing fee fund (482-00-2716-0200) of the board of nursing is hereby increased from \$3,084,471 to \$3,328,993.

Sec. 23.

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, 2024.....\$3,656,524

Provided, That expenditures from the board of nursing fee fund for the fiscal year ending June 30, 2024, for official hospitality shall not exceed \$500.

For the fiscal year ending June 30, 2025.....\$3,597,121

Provided, That expenditures from the board of nursing fee fund for the fiscal year ending June 30, 2025, for official hospitality shall not exceed \$500.

Gifts and grants fund (482-00-7346-4000)

For the fiscal year ending June 30, 2024.....No limit

For the fiscal year ending June 30, 2025.....No limit

Education conference fund (482-00-2209-0100)

For the fiscal year ending June 30, 2024.....No limit

For the fiscal year ending June 30, 2025.....No limit

Criminal background and fingerprinting fund (482-00-2745-2700)

For the fiscal year ending June 30, 2024.....No limit

For the fiscal year ending June 30, 2025.....No limit

Sec. 24.

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, 2024.....\$205,758

Provided, That expenditures from the optometry fee fund for the fiscal year ending June 30, 2024, for official hospitality shall not exceed \$650.

For the fiscal year ending June 30, 2025.....\$227,096

Provided, That expenditures from the optometry fee fund for the fiscal year ending June 30, 2025, for official hospitality shall not exceed \$650.

Optometry litigation fund (488-00-2547-2547)
For the fiscal year ending June 30, 2024.....No limit

Provided, That no expenditures shall be made from the optometry litigation fund for the fiscal year ending June 30, 2024, 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, 2025.....No limit

Provided, That no expenditures shall be made from the optometry litigation fund for the fiscal year ending June 30, 2025, 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, 2024.....No limit

For the fiscal year ending June 30, 2025.....No limit

(b) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$93,000 from the optometry litigation fund (488-00-2547-2547) of the board of examiners in optometry to the optometry fee fund (488-00-2717-0100) of the board of examiners in optometry.

Sec. 25.

STATE BOARD OF PHARMACY

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 4(a) of chapter 97 of the 2022 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 \$3,273,406 to \$2,457,604.

(b) During the fiscal year ending June 30, 2023, notwithstanding the provisions of K.S.A. 2022 Supp. 65-16,130, and amendments thereto, or any other statute to the contrary, no expenditures shall be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2023 as authorized by section 18 of chapter 116 or section 21 of chapter 98 of the 2021 Session Laws of Kansas, section 17 of chapter 81 of the 2022 Session Laws of Kansas, this or any other appropriation act of the 2023 regular session of the legislature for the purposes of enforcing regulations regarding: (1) Dispensing thresholds for telepharmacy outlets; (2) location requirements for telepharmacy outlets that include, but are not limited to, being at least 20 miles from any registered pharmacy or being in a county that contains a city or municipality with a population greater than 50,000 individuals; and (3) filling a prescription and causing the prescription to be delivered for administration to a medical care facility pharmacy, a practitioner or a patient who intends to transport such prescription to a medical care facility, clinic, practitioner's office or pharmacy for administration.

Sec. 26.

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, 2024.....\$3,317,894

Provided, That expenditures from the state board of pharmacy fee fund for the fiscal year ending June 30, 2024, for official hospitality shall not exceed \$2,000.

For the fiscal year ending June 30, 2025.....\$3,478,845

Provided, That expenditures from the state board of pharmacy fee fund for the fiscal year ending June 30, 2025, 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, 2024.....No limit

Provided, That no expenditures shall be made from the state board of pharmacy litigation fund for the fiscal year ending June 30, 2024, 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, 2025.....No limit

Provided, That no expenditures shall be made from the state board of pharmacy litigation fund for the fiscal year ending June 30, 2025, 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.

Prescription monitoring program fund (531-00-2827-2827)

For the fiscal year ending June 30, 2024.....No limit

For the fiscal year ending June 30, 2025.....No limit

Non-federal gifts and grants fund (531-00-7018-7000)

For the fiscal year ending June 30, 2024.....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 2024: *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 2024 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, 2025.....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 2025: *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 2025 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.

Strategic prevention framework for prescription

drugs – federal fund (531-00-3284-3284)

For the fiscal year ending June 30, 2024.....No limit

For the fiscal year ending June 30, 2025.....No limit

Prescription drug overdose data-driven prevention

initiative – federal fund (531-00-3294-3294)

For the fiscal year ending June 30, 2024.....No limit

For the fiscal year ending June 30, 2025.....No limit

Harold Rogers prescription fund (531-00-3188-3110)

For the fiscal year ending June 30, 2024.....No limit

For the fiscal year ending June 30, 2025.....No limit

Public health crisis response fund (531-00-3602-3602)

For the fiscal year ending June 30, 2024.....No limit

For the fiscal year ending June 30, 2025.....No limit

(b) During the fiscal year ending June 30, 2024, 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, 2024, 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, 2025, 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, 2025, 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) During the fiscal years ending June 30, 2024, and June 30, 2025, notwithstanding the provisions of K.S.A. 2022 Supp. 65-16,130, and amendments thereto, or any other statute to the contrary, no expenditures shall be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2024 or 2025 as authorized this or any other appropriation act of the 2024 or 2025 regular session of the legislature for the purposes of enforcing regulations regarding: (1) Dispensing thresholds for telepharmacy outlets; (2) location requirements for telepharmacy outlets that include, but are not limited to, being at least 20 miles from any registered pharmacy or being in a county that contains a city or municipality with a population greater than 50,000 individuals; and (3) filling a prescription and causing the prescription to be delivered for administration to a medical care facility pharmacy, a practitioner or a patient who intends to transport such prescription to a medical care facility, clinic, practitioner's office or pharmacy for administration.

Sec. 27.

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, 2024.....	\$357,227
<i>Provided</i> , That expenditures from the appraiser fee fund for the fiscal year ending June 30, 2024, for official hospitality shall not exceed \$500.	
For the fiscal year ending June 30, 2025.....	\$362,805
<i>Provided</i> , That expenditures from the appraiser fee fund for the fiscal year ending June 30, 2025, for official hospitality shall not exceed \$500.	
Federal registry clearing fund (543-00-7752-7000)	
For the fiscal year ending June 30, 2024.....	No limit
For the fiscal year ending June 30, 2025.....	No limit
AMC federal registry clearing fund (543-00-7755-7755)	

For the fiscal year ending June 30, 2024.....No limit
 For the fiscal year ending June 30, 2025.....No limit
 Special litigation reserve fund (543-00-2698-2698)

For the fiscal year ending June 30, 2024.....No limit

Provided, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2024, 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, 2025.....No limit

Provided, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2025, 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, 2024, and June 30, 2025, 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, 2024, and for the fiscal year ending June 30, 2025, 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.

(c) In addition to the other purposes for which expenditures may be made by real estate appraisal board from moneys appropriated from special revenue fund or funds for fiscal years 2023 and 2024 as authorized by section 22 of chapter 98 of the 2021 Session Laws of Kansas, this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys appropriated in such years to review the practical applications of real estate appraisal program and participate in such program to increase the number of appraisers available in Kansas and include the above agency's participation in the program in a report to the house committee on appropriations, house committee on general government budget and the senate committee on ways and means on or before January 31, 2024.

Sec. 28.

(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, 2024.....\$1,256,331

Provided, That expenditures from the real estate fee fund for the fiscal year ending June 30, 2024, for official hospitality shall not exceed \$1,000.

For the fiscal year ending June 30, 2025.....\$1,272,735

Provided, That expenditures from the real estate fee fund for the fiscal year ending June 30, 2025, for official hospitality shall not exceed \$1,000.

Real estate recovery revolving fund (549-00-7368-4200)

For the fiscal year ending June 30, 2024.....No limit

For the fiscal year ending June 30, 2025.....No limit

Background investigation fee fund (549-00-2722-2700)

For the fiscal year ending June 30, 2024.....No limit

For the fiscal year ending June 30, 2025.....No limit

Special litigation reserve fund (549-00-2821-2821)

For the fiscal year ending June 30, 2024.....No limit

Provided, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2024, 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, 2025.....No limit

Provided, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2025, 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, 2024, and June 30, 2025, 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, 2024, and for the fiscal year ending June 30, 2025, 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. 29.

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, 2024.....\$808,720

Provided, That expenditures from the technical professions fee fund for the fiscal year ending June 30, 2024, for official hospitality shall not exceed \$2,000.

For the fiscal year ending June 30, 2025.....\$810,850

Provided, That expenditures from the technical professions fee fund for the fiscal year ending June 30, 2025, for official hospitality shall not exceed \$2,000.

Special litigation reserve fund (663-00-2739-0200)

For the fiscal year ending June 30, 2024.....No limit

Provided, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2024, 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, 2025.....No limit

Provided, That no expenditures shall be made from the special litigation reserve fund for the fiscal year ending June 30, 2025, 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. 30.

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, 2024.....\$368,512

Provided, That expenditures from the veterinary examiners fee fund for the fiscal

year ending June 30, 2024, for official hospitality shall not exceed \$700.

For the fiscal year ending June 30, 2025.....\$373,203

Provided, That expenditures from the veterinary examiners fee fund for the fiscal year ending June 30, 2025, for official hospitality shall not exceed \$700.

Sec. 31.

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, 2024.....\$492,389

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

For the fiscal year ending June 30, 2025.....\$492,389

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

(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, 2024.....No limit

For the fiscal year ending June 30, 2025.....No limit

(c) During the fiscal years ending June 30, 2024, and June 30, 2025, notwithstanding the provisions of K.S.A. 25-4152, 25-4180, 25-4181, 25-4186, 46-280, 46-288 and 75-3036, and amendments thereto, or any other statute, all moneys received from civil penalties charges and collected by the governmental ethics commission under K.S.A. 25-4152, 25-4180, 25-4181, 25-4186, 46-280 and 46-288, and amendments thereto, 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.

Sec. 32.

LEGISLATIVE COORDINATING COUNCIL

(a) On the effective date of this act, of the \$752,411 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 22(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the legislative coordinating council – operations account (422-00-1000-0100), the sum of \$67,896 is hereby lapsed.

(b) On the effective date of this act, of the \$4,661,008 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 22(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the legislative research department – operations account (425-00-1000-0103), the sum of \$237,298 is hereby lapsed.

(c) On the effective date of this act, of the \$4,132,662 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 22(a) of chapter 81 of the 2022 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 \$431,521 is hereby lapsed.

Sec. 33.

LEGISLATIVE COORDINATING COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Legislative coordinating council –
operations (422-00-1000-0100).....\$758,613

Provided, That any unencumbered balance in the legislative coordinating council – operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Legislative research department –
operations (425-00-1000-0103).....\$5,037,884

Provided, That any unencumbered balance in the legislative research department – operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Office of revisor of statutes –
operations (579-00-1000-0103).....\$4,451,103

Provided, That any unencumbered balance in the office of revisor of statutes – operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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

Legislature employment security fund.....No limit

(c) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$71,000,000 from the legislature employment security fund of the legislative coordinating council to the university of Kansas and Wichita state university health collaboration fund of the university of Kansas.

(d) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$71,000,000 from the legislature employment security fund of the legislative coordinating council to Wichita state university and university of Kansas health collaboration fund of Wichita state university.

Sec. 34.

LEGISLATURE

(a) On the effective date of this act, of the \$17,085,667 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 24(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the operations (including official hospitality) account (428-00-1000-0103), the sum of \$2,000,000 is hereby lapsed.

(b) On the effective date of this act, of the \$6,327,654 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 24(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the legislative information system account (428-00-1000-0300), the sum of \$1,512,661 is hereby lapsed.

Sec. 35.

LEGISLATURE

(a) There is appropriated for the above agency from the state general fund for the

fiscal year ending June 30, 2024, the following:

Operations (including official hospitality) (428-00-1000-0103).....\$19,020,910

Provided, That any unencumbered balance in the operations (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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 2024 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 2024: *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 2024: *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 2024: *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 2024: *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).....\$6,723,214

Provided, That any unencumbered balance in the legislative information account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; That expenditures shall be made from this account by the above agency to issue a request for proposal by August 1, 2023, for a constituent relationship management software service to assist in decreasing response time for both staff and constituents, to encrypt data in transit to ensure constituent privacy, track casework through completion, include integrations with existing systems and allow for proactive communication to all Kansas residents using prescriptive demographic information for targeted outreach, engagement and education: *And provided further*; That the above agency shall require any entity making a proposal to provide two or more references from state legislatures that use such services of a similar scope: *And provided further*; That the legislative coordinating council shall review and approve or reject a contract for such services on or before October 1, 2023, with the expectation that the service, if approved, will be implemented on or before December 1, 2023: *Provided, however*, The expenditure for such services shall not exceed \$100,000.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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 2024 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 2024: *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 2024: *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 2024: *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 2024.

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 preservation committee, joint committee on child welfare system oversight, joint committee on fiduciary financial institutions oversight 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.

(d) During the fiscal year ending June 30, 2024, 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 2024 by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys during fiscal year 2024 for the purpose of creating an interim study committee to take a holistic view of nursing facility reimbursement rate methodology, including cost center caps and an acuity-based add-on.

Sec. 36.

DIVISION OF POST AUDIT

(a) On the effective date of this act, of the \$3,477,553 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 26(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the operations (including legislative post audit committee) account (540-00-1000-0100), the sum of \$420,637 is hereby lapsed.

Sec. 37.

DIVISION OF POST AUDIT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operations (including legislative post audit committee) (540-00-1000-0100).....\$3,534,391

Provided, That any unencumbered balance in the operations (including legislative post audit committee) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Sec. 38.

GOVERNOR'S DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Governor's department (252-00-1000-0503).....\$3,798,984

Provided, That any unencumbered balance in the governor's department account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024:

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).....\$10,624,075

Provided, That any unencumbered balance in the domestic violence prevention grants account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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).....\$2,745,827

Provided, That any unencumbered balance in the child advocacy centers account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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.

CASA grant (252-00-1000-0630).....\$595,000

(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, 2024, 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, 2024, 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, 2024, 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).....No limit

Kansas commission on disability concerns fee fund (252-00-2767).....No limit

Residential substance abuse – federal fund (252-00-3006).....No limit

Arrest grant – federal fund (252-00-3082).....No limit

National criminal history improvement program – federal fund (252-00-3189).....No limit

Violence against women grant – federal fund (252-00-3214).....No limit

Project safe neighborhoods – federal fund (252-00-3217).....	No limit
Coverdell forensic science improvement – federal fund (252-00-3227).....	No limit
Crime victim assistance – federal fund (252-00-3260).....	No limit
Pandemic assistance/vaccine equity fund (252-00-3372).....	No limit
Access visitation grant – federal fund (252-00-3460).....	No limit
Battered women/family violence prevention – federal fund (252-00-3461).....	No limit
Sexual assault services program – federal fund (252-00-3465).....	No limit
Family violence prevention services – ARPA federal fund.....	No limit
Emergency rental assistance – federal fund (252-00-3646).....	No limit
Coronavirus emergency supplemental – federal fund (252-00-3671).....	No limit
Coronavirus relief fund – federal fund (252-00-3753).....	No limit
American rescue plan – state fiscal relief – federal fund (252-00-3756).....	No limit
Edward Byrne justice assistance grants – federal fund (252-00-3757).....	No limit
Prison rape elimination act – federal fund (252-00-3758).....	No limit
Homeowners' assistance – federal fund (252-00-3759).....	No limit
John R Justice grant – federal fund (252-00-3802).....	No limit
Hispanic and Latino American affairs commission – donations fund (252-00-7236).....	No limit
Advisory commission on African-American affairs – donations fund (252-00-7242).....	No limit
White collar crime fund.....	No limit

Sec. 39.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (082-00-1000-0103).....\$5,363,740

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024:

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, 2023, is hereby reappropriated for fiscal year 2024.

Abuse, neglect and exploitation unit (082-00-1000-0500).....\$362,410

Provided, That any unencumbered balance in the abuse, neglect and exploitation unit account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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).....\$75,000

Child exchange and visitation centers (082-00-1000-0450).....\$128,000

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, 2024, the above agency may use moneys in the child exchange and visitation centers account for matching funds.

Protection from abuse (082-00-1000-0900).....\$570,900

Office of inspector general (082-00-1000-0300).....\$982,466

Provided, That any unencumbered balance in the office of inspector general account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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

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. 2022 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 cntntrsr 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 (082-00-6125-6125).....	No limit
State medicaid fraud	
forfeiture fund (082-00-2822-2822).....	No limit
Charitable organizations	
fee fund (082-00-2863-2863).....	No limit
Kansas fights addiction fund (082-00-2826-2826).....	No limit
<i>Provided, That, notwithstanding K.S.A. 2022 Supp. 76-776, and amendments thereto, expenditures shall be made from the Kansas fights addiction fund to include under the Kansas fights addiction act as a qualified applicant, as defined in K.S.A. 2022 Supp. 75-776, and amendments thereto, any 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.</i>	
Municipalities fight	
addiction fund (082-00-2838-2838).....	No limit
Coronavirus relief fund (082-00-3753-3753).....	No limit
(c) During the fiscal year ending June 30, 2024, 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 and prevention as the official domestic violence or sexual assault coalition.

(d) On July 1, 2023, 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.

(e) Notwithstanding the provisions of any other statute, during the fiscal year ending June 30, 2024, 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.

(f) On July 1, 2023, 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.

(g) Notwithstanding the provisions of K.S.A. 75-769, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2024, 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 for the above agency for fiscal year 2024, as authorized by this or other appropriation act of the 2023 regular session of the legislature, to set legal representation charges for state agencies at a rate exceeding \$100 per hour.

(h) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer all moneys in the state agency representation fund (082-00-2261-2261) of the attorney general to the attorney general's state agency representation fund (082-00-6125-6125) of the attorney general. On July 1, 2023, all liabilities of state agency representation fund are hereby transferred to and imposed on the attorney general's state agency representation fund and the state agency representation fund is hereby abolished.

(i) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer all moneys in the private gifts fund (082-00-7300-7000) of the attorney general to the crime victims grants and gifts fund (082-00-7340-7010) of the attorney general. On July 1, 2023, all liabilities of private gifts fund are hereby transferred to and imposed on the crime victims grants and gifts fund, and the private gifts fund is hereby abolished.

Sec. 40.

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, 2024, 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).....No limit

HAVA ELVIS fund (622-00-2353).....	No limit
Conversion of materials and equipment fund (622-00-2418).....	No limit
Information and services fee fund (622-00-2430).....	No limit
<i>Provided</i> , That expenditures from the information and services fee fund for official hospitality shall not exceed \$2,500.	
State register fee fund (622-00-2619).....	No limit
Uniform commercial code fee fund (622-00-2664).....	No limit
Technology communication fee fund (622-00-2672).....	No limit
Athlete agent registration fee fund (622-00-2674).....	No limit
Democracy fund (622-00-2702).....	No limit
<i>Provided</i> , 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.	
Help America vote act federal fund (622-00-3091).....	No limit
HAVA title I federal fund (622-00-3283).....	No limit
HAVA election security fraud 2018 (622-00-3956).....	No limit
State flag and banner fund (622-00-5130).....	No limit
Secretary of state fee refund fund (622-00-9047).....	No limit
Electronic voting machine examination fund (622-00-9101).....	No limit
Credit card clearing fund (622-00-9434).....	No limit
Suspense fund (622-00-9046).....	No limit
Prepaid services fund (622-00-9114).....	No limit

(b) During the fiscal year ending June 30, 2024, 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 2024 by the above agency by this or other appropriation act of the 2023 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 2024 regular session of the legislature and detailing costs to local units of governments for conducting elections that include proposed constitutional amendments.

(c) On or before the 10th day of each month commencing July 1, 2023, during fiscal year 2024, 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.

(d) On July 1, 2023, 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

democracy fund (622-00-2702) of the secretary of state.

Sec. 41.

STATE TREASURER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Water supply storage debt payment for

Milford and Perry reservoirs.....\$52,000,000

Provided, That notwithstanding the provisions of article 42 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto, or any other statute, the state treasurer shall invest all moneys in the water supply storage debt payment for Milford and Perry reservoirs account in United States treasury bills until the interest rate for such treasury bills is equal to or less than the interest rate for water supply storage debt payments as determined by the state treasurer: *Provided further*; That upon determination of the state treasurer that the United States treasury bill rate is equal to or less than the interest rate on such storage debt, expenditures shall be made by the above agency from the water supply storage debt payment for Milford and Perry reservoirs account during fiscal year 2023 for the payment of water supply storage debt for Milford and Perry reservoirs: *Provided, however*; That, if, during the fiscal year ending June 30, 2023, the director of the Kansas water office certifies to the state treasurer and the governor that there is a need for the Kansas water office to call the water supply storage into service, the state finance council shall authorize the state treasurer to immediately make expenditures from the water supply storage debt payment for Milford and Perry reservoirs account for the payment of water supply storage debt for Milford and Perry reservoirs: *And provided further*; That such state finance council action on this matter 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 authorization also may be given while the legislature is in session: *And provided further*; That at the same time such certification is transmitted to the state treasurer and the governor, the director of the Kansas water office shall transmit a copy of such certification to the director of the budget and the director of legislative research.

Sec. 42.

STATE TREASURER

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Alternatives to abortion program.....\$2,000,000

Provided, That expenditures shall be made from the alternatives to abortion program account to establish a statewide program to enhance and increase resources that promote childbirth instead of abortion to women facing unplanned pregnancies and to offer a full range of services, including pregnancy support centers, adoption assistance and maternity homes: *Provided further*; That the program shall include only the following services: Counseling and mentoring; care coordination for prenatal services, including connecting clients to health programs; providing educational materials and information about pregnancy and parenting; referrals to county and social service programs, including child care, transportation, housing and state and federal benefit programs; classes on life skills, budgeting, parenting, stress management, job training, job placement and obtaining a GED certificate; providing material items including, but not limited to, car seats, cribs, maternity clothes, infant diapers and formula; and

support groups in maternity homes: *And provided further*, That program services shall be made available to any Kansas resident who is a pregnant woman, the biological father of an unborn child, the biological or adoptive parent or legal guardian of a child 24 months of age or younger, a program participant who has experienced the loss of a child or a parent or legal guardian of a pregnant child who is a program participant: *And provided further*, That the provision and delivery of services under the program shall be dependent on participant needs as assessed by the nonprofit organization providing the services and not otherwise prioritized by any state agency: *And provided further*, That program services shall be available to participants only during pregnancy and continuing for up to 24 months after birth of the child: *And provided further*, That the state treasurer shall contract with one nonprofit organization to provide services under the alternatives to abortion program, and such nonprofit organization shall subcontract with existing pregnancy centers, adoption agencies, maternity homes and social service organizations to provide program services to promote childbirth instead of abortion: *And provided further*, That such contract shall be for a term not longer than one year: *And provided further*, That the selected contractor and any subcontractors may provide services in addition to the enumerated program services, but such services shall not be funded through the alternatives to abortion program: *And provided further*, That the state treasurer shall include as a condition of the contract with the nonprofit organization selected to provide program services: (1) The assessment of an administrative fine for failure to satisfy program requirements, including required reporting, or for the intentional or reckless misuse of any funds awarded by the terms of such contract, and such fine shall be in the amount of 10% of the funds awarded by the terms of such contract and shall be deposited into the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the state general fund; and (2) that such nonprofit organization shall submit a report to the legislature and the state treasurer on or before June 30, 2024, on the administration of the program during fiscal year 2024, including: The number of clients; the number of clients who participated in case management services; the number of case management hours provided to clients; the number of clients engaged in educational services or job training and placement activities; the number of newborns who were born to program participants; the number of such newborns placed for adoption; the number of fathers who participated in program services; the number of client satisfaction surveys completed; and any other information that shows the success of the contractor's administration of the program: *And provided further*, That the state treasurer shall establish the alternatives to abortion public awareness program to be administered by the same nonprofit organization contracted with to provide alternatives to abortion program services: *And provided further*, That the purpose of the public awareness program is to help pregnant women who are at risk of having abortions to be made aware of the alternatives to abortion program services: *And provided further*, That the public awareness program shall include the development and promotion of a website that provides a geographically indexed list of available alternatives to abortion program services and nonprofit subcontractors that provide services: *And provided further*, That the public awareness program may include, but shall not be limited to, the use of television, radio, outdoor advertising, newspapers, magazines, other print media and the internet to provide information about alternatives to abortion program services and subcontractors: *And provided further*, That, to the greatest extent possible, the secretary

for children and families shall supplement and match moneys appropriated for the alternatives to abortion program with federal and other public and private moneys, and such moneys shall be prioritized to be used preferentially for the program and the public awareness program and be transferred from the special revenue fund or funds of the Kansas department for children and families as identified by the secretary for children and families to the alternatives to abortion program account to be expended for such programs: *Provided, however;* That the alternatives to abortion program and the alternatives to abortion public awareness program and any moneys appropriated or expended therefor shall not be used to perform, induce, assist in the performing or inducing of or refer for abortions, and moneys appropriated or expended for such programs shall not be granted to organizations or affiliates of organizations that perform, induce, assist in the performing or inducing of or refer for abortions.

Any unencumbered balance in the water supply storage debt payment for Milford and Perry reservoirs account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided,* That all moneys in such account shall be subject to the provisions of section 41.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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).....\$1,799,326

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 2024, 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, 2024, the state treasurer shall certify any remaining unencumbered balance in the state treasurer operating fund exceeding \$100,000 to the director of accounts and reports, who shall transfer such certified amount from the state treasurer operating fund to the state general fund on June 30, 2024: *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 2024 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 2024 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, That expenditures from the unclaimed property expense fund for official hospitality shall not exceed \$2,000.</i>	
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
<i>Provided, That, on the 15th day of each month that commences during fiscal year 2024, 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 10th day of each month commencing during fiscal year 2024, the</i>	

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 revitalization 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
STAR bonds food sales tax revenue replacement fund (670-00-2878-2878).....	No limit
Other federal grants fund (670-00-3878-3878).....	No limit
Distinctive license plate royalty fund (670-00-2885-2885).....	No limit
Build Kansas matching grant fund.....	No limit

Provided, That during the fiscal year ending June 30, 2024, no expenditures shall be made from or obligation incurred against the build Kansas matching grant fund without approval from the joint committee on build Kansas subject to the provisions of these provisos: *Provided further*, That there is hereby established a joint committee on build Kansas within the legislative branch: *And provided further*, That such joint committee shall be composed of five members of the senate and five members of the house of representatives: *And provided further*, That all senate members shall be appointed by the president of the senate: *And provided further*, That all representative members shall be appointed by the speaker of the house of representatives: *And provided further*, That the two major political parties shall have proportional representation on such committee: *And provided further*, That the chairperson of such committee shall be a senate member appointed by the president and the vice chairperson shall be representative member appointed by the speaker of the house of representatives: *And provided further*, That any state agency named in this act that is knowledgeable concerning potential infrastructure projects that may be funded by the infrastructure investment and jobs act, public law 117-58, shall inform and educate local communities of the funding opportunities available in such act: *And provided further*, That such state agencies shall provide assistance as necessary to interested local communities: *And provided further*, That such state agencies shall form a steering committee to meet regularly in order to coordinate efforts and develop a process to ensure local communities are informed and connected

with the coordinating state agency: *And provided further*, That the steering committee, following review and approval by the joint committee on build Kansas, shall establish a means test to determine whether the local community is an eligible entity pursuant to the infrastructure investment and jobs act and has demonstrated a need for such grant: *And provided further*, That a grant funding application, requesting matching funds for the purposes of the infrastructure investment and jobs act, shall be approved by the coordinating state agency, in consultation with the steering committee, prior to submission to the joint committee on build Kansas: *And provided further*, That the grant funding application requested by eligible entities from the build Kansas matching grant fund and approved by the coordinating state agency shall be submitted to the joint committee on build Kansas: *And provided further*, That as soon as practicable, the joint committee on build Kansas shall meet and review each request and, if approved by such committee, shall report such committee's recommendation and approval to the state treasurer, the eligible entity submitting the grant application and the coordinating state agency that is providing assistance to the eligible entity in the local community: *And provided further*, That such approval shall be taken by a majority of all members of the joint committee on build Kansas: *Provided however*, That other than operating expenditures, no expenditures shall be made from the build Kansas matching grant fund without written documentation to the state treasurer that such grant funding application has been approved by the federal government pursuant to the infrastructure investment and jobs act: *And provided further*, That, upon approval by the joint committee on build Kansas and notification of federal approval, the above agency shall expend matching grant funds to the eligible entity that has been awarded such grant subject to the provisions of the grant: *And provided, however*, That within 10 calendar days from such approval by the joint committee on build Kansas the state finance council may approve a resolution rejecting such approval and stop the expenditure of such matching grant funds to the eligible entity: *And provided further*, That the state finance council is hereby authorized to stop such expenditures: *And provided further*, That the state finance council action on this matter 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, except that such approval also may be given while the legislature is in session: *And provided further*, That such matching grant funds shall be used by eligible entities to support projects funded by the infrastructure investment and jobs act: *And provided further*, That such projects shall include, but not be limited to, water, transportation, energy, cyber security and broadband infrastructure: *And provided however*, That if during fiscal year 2024, the joint committee on build Kansas determines that the unencumbered balance in the build Kansas matching grant fund is insufficient to pay an amount that is necessary to finance grant applications approved by such committee pursuant to this proviso, such committee may request approval from the state finance council to transfer an amount equal to the insufficient amount from the state general fund to the build Kansas matching grant fund: *And provided however*, That no such transfer shall be made from the state general fund to the build Kansas matching grant fund without approval from 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, except that such approval also may be given while the legislature is in session: *And provided further*, That the state finance council is hereby authorized to approve such transfers: *And provided further*,

That if approved, the director of accounts and reports shall make such transfer: *And provided however*, That the total of all amounts transferred from the state general fund to the build Kansas matching grant fund pursuant to this proviso shall not exceed \$215,000,000: *And provided further*, That approved grant applications shall be distributed geographically based on the department of commerce's Kansas economic development districts and for the purposes of this proviso, the Mo-Kan district shall be combined with those counties that are not associated with any Kansas economic development district: *And provided further*, That the joint committee on build Kansas may meet and approve any such request while the legislature is in session and in person or through the use of telephone or any other medium for interactive communication.

(c) Notwithstanding the provisions of K.S.A. 75-648, and amendments thereto, or any other statute, on July 1, 2023, 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.

(d) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$50,000,000 from the state general fund to the build Kansas matching grant fund.

Sec. 43.

STATE TREASURER

(a) Any unencumbered balance in the water supply storage debt payment for Milford and Perry reservoirs account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided*, That all moneys in such account shall be subject to the provisions of section 41.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Build Kansas matching grant fund.....No limit

Provided, That during the fiscal year ending June 30, 2025, no expenditures shall be made from or obligation incurred against the build Kansas matching grant fund without approval from the joint committee on build Kansas, as established in section 42, subject to the provisions of these provisos: *Provided, however*, That during the fiscal year ending June 30, 2025, the chairperson of such committee shall be a representative member appointed by the speaker of the house of representatives and the vice chairperson shall be a senate member appointed by the president of the senate: *Provided further*, That any state agency named in this act that is knowledgeable concerning potential infrastructure projects that may be funded by the infrastructure investment and jobs act, public law 117-58, shall inform and educate local communities of the funding opportunities available in such act: *And provided further*, That such state agencies shall provide assistance as necessary to interested local communities: *And provided further*, That such state agencies shall form a steering committee to meet regularly in order to coordinate efforts and develop a process to ensure local communities are informed and connected with the coordinating state agency: *And provided further*, That the steering committee, following review and approval by the joint committee on build Kansas, shall establish a means test to determine whether the local community is an eligible entity pursuant to the infrastructure investment and jobs act and has demonstrated a

need for such grant: *And provided further*; That a grant funding application, requesting matching funds for the purposes of the infrastructure investment and jobs act, shall be approved by the coordinating state agency, in consultation with the steering committee, prior to submission to the joint committee on build Kansas: *And provided further*; That the grant funding application requested by eligible entities from the build Kansas matching grant fund and approved by the coordinating state agency shall be submitted to the joint committee on build Kansas: *And provided further*; That as soon as practicable, the joint committee on build Kansas shall meet and review each request and, if approved by such committee, shall report such committee's recommendation and approval to the state treasurer, the eligible entity submitting the grant application and the coordinating state agency that is providing assistance to the eligible entity in the local community: *And provided further*; That such approval shall be taken by a majority of all members of the joint committee on build Kansas: *Provided however*; That other than operating expenditures, no expenditures shall be made from the build Kansas matching grant fund without written documentation to the state treasurer that such grant funding application has been approved by the federal government pursuant to the infrastructure investment and jobs act: *And provided further*; That, upon approval by the joint committee on build Kansas and notification of federal approval, the above agency shall expend matching grant funds to the eligible entity that has been awarded such grant subject to the provisions of the grant: *And provided, however*; That within 10 calendar days from such approval by the joint committee on build Kansas the state finance council may approve a resolution rejecting such approval and stop the expenditure of such matching grant funds to the eligible entity: *And provided further*; That the state finance council is hereby authorized to stop such expenditures: *And provided further*; That the state finance council action on this matter 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, except that such approval also may be given while the legislature is in session: : *And provided further*; That such matching grant funds shall be used by eligible entities to support projects funded by the infrastructure investment and jobs act: *And provided further*; That such projects shall include, but not be limited to, water, transportation, energy, cyber security and broadband infrastructure: *And provided further*; That expenditures from the build Kansas matching grant fund for the fiscal year ending June 30, 2025, for salaries and wages and other operating expenditures, including, but not limited to, hiring grant writers and consultants to provide technical assistance and educational opportunities, shall not exceed \$5,000,000 and are subject to approval by the joint committee on build Kansas: *And provided however*; That if during fiscal year 2025, the joint committee on build Kansas determines that the unencumbered balance in the build Kansas matching grant fund is insufficient to pay an amount that is necessary to finance grant applications approved by such committee pursuant to this proviso, such committee may request approval from the state finance council to transfer an amount equal to the insufficient amount from the state general fund to the build Kansas matching grant fund: *And provided however*; That no such transfer shall be made from the state general fund to the build Kansas matching grant fund without approval from 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 the state finance council is hereby authorized to approve such transfers: *And provided further*; That if approved, the director of accounts and reports shall make such transfer: *And provided however*; That the total of all amounts transferred from the state general fund to the build Kansas matching grant fund pursuant to this proviso and the provisions of section 42 shall not exceed \$215,000,000: *And provided further*; That approved grant applications shall be distributed geographically based on the department of commerce's Kansas economic development districts, and for the purposes of this proviso, the Mo-Kan district shall be combined with those counties that are not associated with any Kansas economic development district: *And provided further*; That the joint committee on build Kansas may meet and approve any such request while the legislature is in session and in person or through the use of telephone or any other medium for interactive communication: *And provided further*; That on or before the first day of the 2025 regular session of the legislature, any coordinating state agency providing assistance to local communities shall submit a report on all expenditures, grant applications and approved grant applications from the build Kansas matching grant fund for the preceding fiscal year to the house of representatives committee on appropriations and the senate committee on ways and means.

(c) On July 1, 2024, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$55,000,000 from the state general fund to the build Kansas matching grant fund: *Provided, however*; That if in the aggregate, the amount transferred from the state general fund to the build Kansas matching grant fund pursuant to any previous state finance council action is equal to \$215,000,000, then the provisions of this subsection are null and void.

Sec. 44.

STATE TREASURER

(a) Any unencumbered balance in the water supply storage debt payment for Milford and Perry reservoirs account in excess of \$100 as of June 30, 2025, is hereby reappropriated for fiscal year 2026: *Provided*, That all moneys in such account shall be subject to the provisions of section 41.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2026, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Build Kansas matching grant fund.....No limit

Provided, That during the fiscal year ending June 30, 2026, no expenditures shall be made from or obligation incurred against the build Kansas matching grant fund without approval from the joint committee on build Kansas, as established in section 42, subject to the provisions of these provisos: *Provided, however*; That during the fiscal year ending June 30, 2026, the chairperson of such committee shall be a senate member appointed by the president of the senate representatives and the vice chairperson shall be a representative member appointed by the speaker of the house of representatives: *Provided further*; That any state agency named in this act that is knowledgeable concerning potential infrastructure projects that may be funded by the infrastructure investment and jobs act, public law 117-58, shall inform and educate local communities of the funding opportunities available in such act: *And provided further*; That such state agencies shall provide assistance as necessary to interested local communities: *And*

provided further, That such state agencies shall form a steering committee to meet regularly in order to coordinate efforts and develop a process to ensure local communities are informed and connected with the coordinating state agency: *And provided further*, That the steering committee, following review and approval by the joint committee on build Kansas, shall establish a means test to determine whether the local community is an eligible entity pursuant to the infrastructure investment and jobs act and has demonstrated a need for such grant: *And provided further*, That a grant funding application, requesting matching funds for the purposes of the infrastructure investment and jobs act, shall be approved by the coordinating state agency, in consultation with the steering committee, prior to submission to the joint committee on build Kansas: *And provided further*, That the grant funding application requested by eligible entities from the build Kansas matching grant fund and approved by the coordinating state agency shall be submitted to the joint committee on build Kansas: *And provided further*, That as soon as practicable, the joint committee on build Kansas shall meet and review each request and, if approved by such committee, shall report such committee's recommendation and approval to the state treasurer, the eligible entity submitting the grant application and the coordinating state agency that is providing assistance to the eligible entity in the local community: *And provided further*, That such approval shall be taken by a majority of all members of the joint committee on build Kansas: *Provided however*, That other than operating expenditures, no expenditures shall be made from the build Kansas matching grant fund without written documentation to the state treasurer that such grant funding application has been approved by the federal government pursuant to the infrastructure investment and jobs act: *And provided further*, That, upon approval by the joint committee on build Kansas and notification of federal approval, the above agency shall expend matching grant funds to the eligible entity that has been awarded such grant subject to the provisions of the grant: *And provided, however*, That within 10 calendar days from such approval by the joint committee on build Kansas the state finance council may approve a resolution rejecting such approval and stop the expenditure of such matching grant funds to the eligible entity: *And provided further*, That the state finance council is hereby authorized to stop such expenditures: *And provided further*, That the state finance council action on this matter 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, except that such approval also may be given while the legislature is in session: *And provided further*, That such matching grant funds shall be used by eligible entities to support projects funded by the infrastructure investment and jobs act: *And provided further*, That such projects shall include, but not be limited to, water, transportation, energy, cyber security and broadband infrastructure: *And provided further*, That expenditures from the build Kansas matching grant fund for the fiscal year ending June 30, 2026, for salaries and wages and other operating expenditures, including, but not limited to, hiring grant writers and consultants to provide technical assistance and educational opportunities, shall not exceed \$5,000,000 and are subject to approval by the joint committee on build Kansas: *And provided however*, That if during fiscal year 2026, the joint committee on build Kansas determines that the unencumbered balance in the build Kansas matching grant fund is insufficient to pay an amount that is necessary to finance grant applications approved by such committee pursuant to this proviso, such committee may request approval from the state finance council to transfer an amount equal to the

insufficient amount from the state general fund to the build Kansas matching grant fund: *And provided however*, That no such transfer shall be made from the state general fund to the build Kansas matching grant fund without approval from 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 the state finance council is hereby authorized to approve such transfers: *And provided further*, That if approved, the director of accounts and reports shall make such transfer: *And provided however*, That the total of all amounts transferred from the state general fund to the build Kansas matching grant fund pursuant to this proviso and the provisions of sections 42 and 43 shall not exceed \$215,000,000: *And provided further*, That approved grant applications shall be distributed geographically based on the department of commerce's Kansas economic development districts and for the purposes of this proviso, the Mo-Kan district shall be combined with those counties that are not associated with any Kansas economic development district: *And provided further*, That expenditures shall be made by the above agency from such fund during fiscal year 2026 to review the location of all grants awarded in each Kansas economic development district including the combined counties Mo-Kan district: *And provided further*, That during fiscal year 2026, the above agency shall collaborate with the coordinating state agencies to ensure that each Kansas economic development district and the combined counties Mo-Kan district has not less than \$10,000,000 allocated to grant projects in such district from the build Kansas matching grant fund: *And provided further*, That the joint committee on build Kansas may meet and approve any such request while the legislature is in session and in person or through the use of telephone or any other medium for interactive communication: *And provided further*, That on or before the first day of the 2026 regular session of the legislature, any coordinating state agency providing assistance to local communities shall submit a report on all expenditures, grant applications and approved grant applications from the build Kansas matching grant fund for the preceding fiscal year to the house of representatives committee on appropriations and the senate committee on ways and means.

(c) On July 1, 2025, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$55,000,000 from the state general fund to the build Kansas matching grant fund: *Provided, however*, That if in the aggregate, the amount transferred from the state general fund to the build Kansas matching grant fund pursuant to any previous state finance council action is equal to \$215,000,000, then the provisions of this subsection are null and void.

Sec. 45.

STATE TREASURER

(a) Any unencumbered balance in the water supply storage debt payment for Milford and Perry reservoirs account in excess of \$100 as of June 30, 2026, is hereby reappropriated for fiscal year 2027: *Provided*, That all moneys in such account shall be subject to the provisions of section 41.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2027, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Build Kansas matching grant fund.....No limit

Provided, That during the fiscal year ending June 30, 2027, no expenditures shall be made from or obligation incurred against the build Kansas matching grant fund without approval from the joint committee on build Kansas, as established in section 42, subject to the provisions of these provisos: *Provided, however*, That during the fiscal year ending June 30, 2027, the chairperson of such committee shall be a representative member appointed by the speaker of the house of representatives and the vice chairperson shall be a senate member appointed by the president of the senate: *Provided further*, That any state agency named in this act that is knowledgeable concerning potential infrastructure projects that may be funded by the infrastructure investment and jobs act, public law 117-58, shall inform and educate local communities of the funding opportunities available in such act: *And provided further*, That such state agencies shall provide assistance as necessary to interested local communities: *And provided further*, That such state agencies shall form a steering committee to meet regularly in order to coordinate efforts and develop a process to ensure local communities are informed and connected with the coordinating state agency: *And provided further*, That the steering committee, following review and approval by the joint committee on build Kansas, shall establish a means test to determine whether the local community is an eligible entity pursuant to the infrastructure investment and jobs act and has demonstrated a need for such grant: *And provided further*, That a grant funding application, requesting matching funds for the purposes of the infrastructure investment and jobs act, shall be approved by the coordinating state agency, in consultation with the steering committee, prior to submission to the joint committee on build Kansas: *And provided further*, That the grant funding application requested by eligible entities from the build Kansas matching grant fund and approved by the coordinating state agency shall be submitted to the joint committee on build Kansas: *And provided further*, That as soon as practicable, the joint committee on build Kansas shall meet and review each request and, if approved by such committee, shall report such committee's recommendation and approval to the state treasurer, the eligible entity submitting the grant application and the coordinating state agency that is providing assistance to the eligible entity in the local community: *And provided further*, That such approval shall be taken by a majority of all members of the joint committee on build Kansas: *Provided however*, That other than operating expenditures, no expenditures shall be made from the build Kansas matching grant fund without written documentation to the state treasurer that such grant funding application has been approved by the federal government pursuant to the infrastructure investment and jobs act: *And provided further*, That, upon approval by the joint committee on build Kansas and notification of federal approval, the above agency shall expend matching grant funds to the eligible entity that has been awarded such grant subject to the provisions of the grant: *And provided, however*, That within 10 calendar days from such approval by the joint committee on build Kansas the state finance council may approve a resolution rejecting such approval and stop the expenditure of such matching grant funds to the eligible entity: *And provided further*, That the state finance council is hereby authorized to stop such expenditures: *And provided further*, That the state finance council action on this matter 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, except that such approval also may be given while the legislature is in session: *And provided further*, That such

matching grant funds shall be used by eligible entities to support projects funded by the infrastructure investment and jobs act: *And provided further*; That such projects shall include, but not be limited to, water, transportation, energy, cyber security and broadband infrastructure: *And provided further*; That expenditures from the build Kansas matching grant fund for the fiscal year ending June 30, 2027, for salaries and wages and other operating expenditures, including, but not limited to, hiring grant writers and consultants to provide technical assistance and educational opportunities, shall not exceed \$5,000,000 and are subject to approval by the joint committee on build Kansas: *And provided however*; That if during fiscal year 2027, the joint committee on build Kansas determines that the unencumbered balance in the build Kansas matching grant fund is insufficient to pay an amount that is necessary to finance grant applications approved by such committee pursuant to this proviso, such committee may request approval from the state finance council to transfer an amount equal to the insufficient amount from the state general fund to the build Kansas matching grant fund: *And provided however*; That no such transfer shall be made from the state general fund to the build Kansas matching grant fund without approval from 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 the state finance council is hereby authorized to approve such transfers: *And provided further*; That if approved, the director of accounts and reports shall make such transfer: *And provided however*; That the total of all amounts transferred from the state general fund to the build Kansas matching grant fund pursuant to this proviso and the provisions of sections 42, 43 and 44 shall not exceed \$215,000,000: *And provided further*; That approved grant applications shall be distributed geographically based on the department of commerce's Kansas economic development districts and for the purposes of this proviso, the Mo-Kan district shall be combined with those counties that are not associated with any Kansas economic development district: *And provided further*; That expenditures shall be made by the above agency from such fund during fiscal year 2027 to review the location of all grants awarded in each Kansas economic development district including the combined counties Mo-Kan district: *And provided further*; That during fiscal year 2027, the above agency shall collaborate with the coordinating state agencies to ensure that each Kansas economic development district and the combined counties Mo-Kan district has not less than \$10,000,000 allocated to grant projects in such district from the build Kansas matching grant fund: *And provided further*; That the joint committee on build Kansas may meet and approve any such request while the legislature is in session and in person or through the use of telephone or any other medium for interactive communication: *And provided further*; That on or before the first day of the 2027 regular session of the legislature, any coordinating state agency providing assistance to local communities shall submit a report on all expenditures, grant applications and approved grant applications from the build Kansas matching grant fund for the preceding fiscal year to the house of representatives committee on appropriations and the senate committee on ways and means.

(c) On July 1, 2026, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$55,000,000 from the state general fund to the build Kansas matching grant fund: *Provided, however*; That if in the aggregate, the amount

transferred from the state general fund to the build Kansas matching grant fund pursuant to any previous state finance council action is equal to \$215,000,000, then the provisions of this subsection are null and void.

Sec. 46.

STATE TREASURER

(a) Any unencumbered balance in the water supply storage debt payment for Milford and Perry reservoirs account in excess of \$100 as of June 30, 2027, is hereby reappropriated for fiscal year 2028: *Provided*, That during the fiscal year ending June 30, 2028, expenditures shall be made by the above agency from the water supply storage debt payment for Milford and Perry reservoirs account for the purpose of the payment of water supply storage debt for Milford and Perry reservoirs.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2028, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Build Kansas matching grant fund.....No limit

Provided, That during the fiscal year ending June 30, 2028, no expenditures shall be made from or obligation requested to be incurred against the build Kansas matching grant fund without approval from the joint committee on build Kansas, as established in section 42, subject to the provisions of section 45(a): *Provided, however*, That during the fiscal year ending June 30, 2028, the chairperson of such committee shall be a senate member appointed by the president of the senate representatives and the vice chairperson shall be a representative member appointed by the speaker of the house of representatives: *And provided further*; That on or before September 30, 2027, any coordinating state agency providing assistance to local communities shall submit a report on all expenditures, grant applications and approved grant applications from the build Kansas matching grant fund for the preceding fiscal year to the house of representatives committee on appropriations and the senate committee on ways and means.

(c) On September 30, 2027, the director of accounts and reports shall transfer all moneys in the build Kansas matching grant fund to the state general fund. On September 30, 2027, all liabilities of the build Kansas matching grant fund are hereby transferred to and imposed on the state general fund and the build Kansas matching grant fund is hereby abolished.

Sec. 47.

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, 2024, 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 2024 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

licensure fund (331-00-2665-2665).....No limit

Securities act fee fund (331-00-2162-0100).....No limit

Provided, That expenditures from the securities act fee fund for the fiscal year ending June 30, 2024, 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, 2024, for official hospitality shall not exceed \$5,000.

Captive insurance regulatory and

supervision fund (331-00-2309-2309).....No limit

State flexibility to stabilize the market grant

program fund (331-00-3648-3648).....No limit

Coronavirus relief fund (331-00-3753-3753).....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 2024 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 2024 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) During the fiscal year ending June 30, 2023, and June 30, 2024, notwithstanding the provisions of K.S.A. 40-103, and amendments thereto, or any other statute to the contrary, no expenditures shall be made by the above agency from moneys appropriated from any special revenue fund or funds for the above agency for fiscal year 2023 or 2024 as authorized by chapter 81 of the 2022 Session Laws of Kansas, this or any other appropriation act of the 2023 regular session of the legislature to enhance, support, plan, implement or impose federal market reforms, changes or additions to essential health benefits or consumer protections under part A of title XXVII of the federal public health service act, including, but not limited to, the imposition of new health insurance mandates or consumer benefits on a health plan of any individual, group, governmental agency or entity, whether such health plan is insured or self-insured unless the legislature expressly consents to and approves of such action or actions by an act of the legislature.

Sec. 48.

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, 2024, 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, 2024, 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. 49.

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, 2024, 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, 2024, 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 10th day of each month during the fiscal year ending June 30, 2024, 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. 50.

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, 2024, 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. 51.

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, 2023, the following:

Assigned counsel expenditures (328-00-1000-0700).....\$1,299,184
 Sec. 52.

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, 2024, the following:

Operating expenditures (328-00-1000-0603).....\$26,151,802

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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).....\$20,672,309

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the assigned counsel expenditures account is hereby reappropriated for fiscal year 2024: *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: *And provided further*, That, notwithstanding the provisions of K.S.A. 22-4507, and amendments thereto, or any other statute, expenditures shall be made by the above agency from such account for fiscal year 2024 to set the maximum rate of compensation of assigned counsel in fiscal year 2024 at \$120 per hour.

Capital defense operations (328-00-1000-0800).....\$3,854,255

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the capital defense operations account is hereby reappropriated for fiscal year 2024: *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, 2023, in the indigents' defense services operations account is hereby reappropriated for fiscal

year 2024: *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).....\$2,327,691

Provided, That any unencumbered balance in the litigation support account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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, 2024, 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, 2024, from the state general fund for the state board of indigents' defense services to any other item of appropriation for fiscal year 2024 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 2024 as authorized by this act or other appropriation act of the 2023 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 2024 to classify public defenders based on the level of cases such public defenders are assigned.

(e) During the fiscal year ending June 30, 2024, 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 2024 as authorized by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys to provide a report to the senate committee on ways and means and house committee on appropriations on or before January 1, 2024, regarding: (1) The number of cases handled by assigned counsel; (2) the total number of state attorneys in the agency; (3) the average tenure of such state attorneys over the last five years; (4) the fiscal year 2023 turnover rate; and (5) any other information the above agency deems valuable to evaluate the effectiveness of the salary adjustments implemented over the last two fiscal years.

Sec. 53.

STATE BOARD OF INDIGENTS'
DEFENSE SERVICES

(a) During the fiscal year ending June 30, 2025, notwithstanding the provisions of K.S.A. 22-4507, and amendments thereto, or any other statute, expenditures shall be made by the above agency from the assigned counsel expenditures account (328-00-1000-0700) of the state general fund for fiscal year 2025 to set the maximum rate of compensation of assigned counsel in fiscal year 2025 at \$120 per hour.

Sec. 54.

JUDICIAL BRANCH

(a) On the effective date of this act, of the \$17,328,850 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 16(a) of chapter 97 of the 2022 Session Laws of Kansas from the state general fund in the judiciary operations account (677-00-1000), the sum of \$1,944,998 is hereby lapsed.

Sec. 55.

JUDICIAL BRANCH

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Judiciary operations (677-00-1000).....\$178,722,057

Provided, That any unencumbered balance in the judiciary operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024:

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, 2024, 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:

Byrne discretionary grants
program fund (677-00-3654-3654).....No limit

BJA veterans treatment court discretionary grant program fund (677-00-3922-3922)	No limit
National crime history improvement program fund (677-00-3189-3189)	No limit
Library report fee fund (677-00-2106-2000)	No limit
State and community highway safety – federal fund (677-00-3815-3815)	No limit
Dispute resolution fund (677-00-2126-3500)	No limit
Judicial branch education fund (677-00-2324-1900)	No limit
<i>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.</i>	
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
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
Ed Byrne memorial justice assistance grant fund (677-00-3057).....	No limit
Specialty court resources fund (677-00-2879-2879).....	No limit

Sec. 56.

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, 2024, 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
<i>Provided</i> , 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

(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, 2024, for the following specified purposes:

Agency operations (365-00-7002-7400).....	\$26,196,961
<i>Provided</i> , 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, 2023, 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, 2023, by the director of accounts and reports from the Kansas endowment for youth fund to the children's initiatives fund is hereby increased to \$57,661,031.

Sec. 57.

KANSAS HUMAN RIGHTS COMMISSION

(a) On the effective date of this act, the expenditure limitation for official hospitality established for the fiscal year ending June 30, 2023, by section 45(a) of chapter 81 of the 2022 Session Laws of Kansas on the operating expenditures account (058-00-1000-0103) of the state general fund of the Kansas human rights commission is hereby increased from \$200 to \$400.

Sec. 58.

KANSAS HUMAN RIGHTS COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (058-00-1000-0103).....\$1,074,268

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$500: *Provided further*; That expenditures for mediation services contracted with Kansas legal services shall be made only upon certification by the executive director of the Kansas 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, 2024, 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
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. 59.

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, 2024, 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
Gas pipeline inspection
fee fund (143-00-2023-1100).....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 2025 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 2024, 2025 and 2026.

Abandoned oil and gas

well fund (143-00-2143-2100).....No limit

Natural gas underground storage

fee fund (143-00-2181-2120).....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.

Facility conservation improvement

program fund (000-00-2432-2400).....No limit

Energy grants

management fund (000-00-2667).....No limit

Motor carrier license

fees fund (143-00-2812-5500).....No limit

MPG for states and tribes –

federal fund (143-00-3103-3103).....No limit

Energy efficiency revolving loan program –

ARRA federal fund (000-00-3161).....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 10th 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.

Special one-call –

federal fund (143-00-3477-3477).....	No limit
Gas pipeline safety program –	
federal fund (143-00-3632-3000).....	No limit
One call – federal fund (143-00-3633-3120).....	No limit
Underground natural gas storage –	
federal fund (143-00-3639-3641).....	No limit
Energy community revitalization –	
federal fund (143-00-3656-3656).....	No limit
Energy conservation plan –	
federal fund (000-00-3682-3500).....	No limit
Underground injection control class II –	
federal fund (143-00-3768-3700).....	No limit
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

(b) Expenditures for the fiscal year ending June 30, 2024, 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 2024 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, 2024, 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.

(d) Expenditures for the fiscal year ending June 30, 2024, by the state corporation commission from the public service regulation fund (143-00-2019-0100) for official hospitality shall not exceed \$2,030.

(e) During the fiscal year ending June 30, 2024, 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.

(f) On July 1, 2023, 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. 60.

CITIZENS' UTILITY RATEPAYER BOARD

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 47(a) of chapter 81 of the 2022 Session Laws of Kansas on the utility regulatory fee fund (122-00-2030-2000) of the citizens' utility ratepayer board is hereby increased from \$1,197,623 to \$1,372,074.

(b) During the fiscal year ending June 30, 2023, the provisions of section 47(b) of chapter 81 of the 2022 Session Laws of Kansas concerning the utility regulatory fee fund shall apply to the increased expenditure limitation in subsection (a).

Sec. 61.

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, 2024, 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).....\$1,238,441

(b) During the fiscal year ending June 30, 2024, 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 2024 for the citizens' utility ratepayer board as authorized by this or other appropriation act of the 2023 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 2023, then the amount equal to the remaining amount of such expenditure authority for fiscal year 2023 may be expended from the utility regulatory fee fund for fiscal year 2024 pursuant to contracts for professional services and any such expenditure for fiscal year 2024 shall be in addition to any expenditure limitation imposed on the utility regulatory fee fund for fiscal year 2024.

Sec. 62.

DEPARTMENT OF ADMINISTRATION

(a) On the effective date of this act, the \$150,000 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 49(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the gubernatorial transition account (173-00-1000-0620) is hereby lapsed.

(b) On the effective date of this act, the \$15,000 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 49(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the cedar crest transition reimbursement account (173-00-1000-0630) is hereby lapsed.

(c) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Cedar crest living quarters expenses.....\$15,000

(d) On the effective date of this act, the expenditure limitation for salaries and wages and other operating expenditures established for the fiscal year ending June 30, 2023, by section 49(c) of chapter 81 of the 2022 Session Laws of Kansas on the health benefits administration clearing fund – remit admin service org (173-00-7746-7746) of the department of administration is hereby decreased from \$14,173,400 to \$9,386,000.

(e) On the effective date of this act, the expenditure limitation for salaries and wages and other operating expenditures established for the fiscal year ending June 30, 2023, by section 49(c) of chapter 81 of the 2022 Session Laws of Kansas on the state workers compensation self-insurance fund (173-00-6170-6170) of the department of administration is hereby increased from \$4,709,909 to \$5,300,179.

(f) On the effective date of this act, the expenditure limitation for salaries and wages and other operating expenditures established for the fiscal year ending June 30, 2023, by section 49(c) of chapter 81 of the 2022 Session Laws of Kansas on the dependent care assistance program fund (173-00-7740-7799) of the department of administration is hereby decreased from \$257,284 to \$175,000.

(g) On the effective date of this act, the director of accounts and reports shall transfer \$600,000,000 from the state general fund to the budget stabilization fund (173-00-1600-1600): *Provided*, That the transfer of such amount shall be in addition to any other transfer from the state general fund to the budget stabilization fund as prescribed by law.

(h) On the effective date of this act, of the \$325,000 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 49(k) of chapter 81 of the 2022 Session Laws of Kansas from the state institutions building fund in the SIBF – state building insurance account (173-00-8100-8920) the sum of \$112,297 is hereby lapsed.

(i) 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:

Friends of cedar crest endowment fund.....\$0

Provided, That on or before the 10th day of each month commencing on the effective date of this act, during fiscal year 2023, the director of accounts and reports shall transfer from the state general fund to the friends of cedar crest endowment fund interest earnings based on: (1) The average daily balance of moneys in the friends of

cedar crest endowment fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month.

(j) On the effective date of this act, the director of accounts and reports shall transfer \$250,000 from the state general fund to the friends of cedar crest endowment fund.

Sec. 63.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (173-00-1000-0200).....\$4,875,166

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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).....\$1,997,630

Provided, That any unencumbered balance in the budget analysis account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *And provided further*; That expenditures from this account for official hospitality shall not exceed \$2,000.

Office of public advocates (173-00-1000-0300).....\$1,032,063

Provided, That any unencumbered balance in the office of public advocates account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$1,000.

KPERS bonds debt service (173-00-1000-0440).....\$88,181,994

Any unencumbered balance in the following accounts as of June 30, 2023, are hereby reappropriated for fiscal year 2024: Long-term care ombudsman (173-00-1000-0580), Docking state office building rehabilitation and repair (173-00-1000-8545), salary adjustments (173-00-1000-0640) and cedar crest living quarters expenses (173-00-1000).

(b) There is appropriated for the above agency from the expanded lottery act revenues fund for the fiscal year ending June 30, 2024, the following:

KPERS bond debt service (173-00-1700-1704).....\$36,109,324

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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).....\$0

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
CRRSA 2021 LTC ombudsman fund (173-00-3680).....	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</i> , That expenditures may be made from the digital imaging program fund for grants to state agencies for digital document imaging projects.	
Preventive healthcare program fund (173-00-2556-2550).....	No limit

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, 2024, for salaries and wages and other operating expenditures shall not exceed \$5,288,131.

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, 2024, for salaries and wages and other operating expenditures shall not exceed \$175,000.

Non-state employer group
 benefit fund (173-00-7707-7710).....No limit
 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, 2024, for salaries and wages and other operating expenditures shall not exceed \$9,400,000.

Health insurance premium
 reserve fund (173-00-7350-7350).....No limit
 Coronavirus relief fund (173-00-3753).....No limit

Kansas suffragist
 memorial fund (173-00-7245-7245).....No limit
 Kansas gold star families
 memorial fund (173-00-7244-7244).....No limit

Friends of cedar crest endowment fund.....\$0
Provided, That on or before the 10th day of each month commencing on July 1, 2023, during fiscal year 2024, the director of accounts and reports shall transfer from the state general fund to the friends of cedar crest endowment fund interest earnings based on: (1) The average daily balance of moneys in the friends of cedar crest endowment fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month.

(d) During the fiscal year ending June 30, 2024, 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 2024 by this or other appropriation act of the 2023 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 2024, 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, 2023, the director of accounts and reports shall transfer \$210,000 from the state highway fund (276-00-4100-4100) of the department of transportation 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, 2024, 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 2024 by this or other appropriation act of the 2023 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 2024 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, 2023, 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, 2024, except that such amount shall be proportionally adjusted during fiscal year 2024 with respect to any change in the moneys to be transferred and credited to the state economic development initiatives fund during fiscal year 2024. All moneys transferred and credited to the state economic development initiatives fund during fiscal year 2024 shall reduce the amount debited and credited to the state economic development initiatives fund under this subsection.

(2) On June 30, 2024, 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 2024.

(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, 2023, 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, 2024, except that such amount shall be proportionally adjusted during fiscal year 2024 with respect to any change in the moneys to be transferred and credited to the correctional institutions building fund during fiscal year 2024. All moneys transferred and credited to the correctional institutions building fund during fiscal year 2024 shall reduce the amount debited and credited to the correctional institutions building fund under this subsection.

(2) On June 30, 2024, 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 2024.

(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, 2024, 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, 2024, from the state general fund for the department of administration to another item of appropriation for fiscal year 2024 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, 2024, 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, 2024, the following:

CIBF – state
building insurance (173-00-8600-8930).....\$550,000

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, 2023, or as soon thereafter as moneys are available during the fiscal year ending June 30, 2024, 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 2024 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, 2023, 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 27th 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 27th 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, 2023, 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 2024 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, 2024, by this or other appropriation act of the 2023 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 2024.

(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 27th 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, 2024, 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 2024 by this or other appropriation act of the 2023 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 2024, 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, 2023, 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, 2024, except that such amount shall be proportionally adjusted during fiscal year 2024 with respect to any change in the moneys to be transferred and credited to the expanded lottery act revenues fund during fiscal year 2024. All moneys transferred and credited to the expanded lottery act

revenues fund during fiscal year 2024 shall reduce the amount debited and credited to the expanded lottery act revenues fund under this subsection.

(2) On June 30, 2024, 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 2024.

(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, 2023, 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, 2024, except that such amount shall be proportionally adjusted during fiscal year 2024 with respect to any change in the moneys to be transferred and credited to the children's initiatives fund during fiscal year 2024. 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 2023 and fiscal year 2024 in determining the amount to be certified under this subsection. All moneys transferred and credited to the children's initiatives fund during fiscal year 2024 shall reduce the amount debited and credited to the children's initiatives fund under this subsection.

(2) On June 30, 2024, 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 2024.

(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, 2023, 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, 2024, as certified by the director of the budget. All moneys received and credited to the Kansas endowment for youth fund during fiscal year 2024 shall reduce the amount debited and credited to the Kansas endowment for youth fund under this subsection.

(2) On June 30, 2024, 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 2024.

(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.

(s) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$250,000 from the state general fund to the friends of cedar crest endowment fund.

Sec. 64.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2025, 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:

Friends of cedar crest endowment fund.....\$0

Provided, That on or before the 10th day of each month commencing on July 1, 2024, during fiscal year 2025, the director of accounts and reports shall transfer from the state general fund to the friends of cedar crest endowment fund interest earnings based on: (1) The average daily balance of moneys in the friends of cedar crest endowment fund for the preceding month; and (2) the net earnings rate of the pooled money investment portfolio for the preceding month.

Sec. 65.

OFFICE OF INFORMATION
TECHNOLOGY SERVICES

(a) During the fiscal year ending June 30, 2023, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated from the

information technology fund (335-00-6110-4030) as authorized by section 50(b) of chapter 81 of the 2022 Session Laws of Kansas, this or any other appropriation act of the 2023 regular session of the legislature, the above agency may make expenditures from such moneys in an amount not to exceed \$1,000 for official hospitality.

Sec. 66.

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, 2024, 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, 2023, is hereby reappropriated for fiscal year 2024.

Kansas information security office (335-00-1000).....\$5,750,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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 expenditures from the information technology fund for official hospitality shall not exceed \$1,000; *Provided further*; 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

Coronavirus relief fund (335-00-3753-3772).....No limit

Sec. 67.

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, 2024, 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. 68.

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, 2024, 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 \$50.

Sec. 69.

OFFICE OF ADMINISTRATIVE HEARINGS

(a) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the administrative hearings office fund (178-00-2582) for fiscal year 2025 as authorized by this or any other appropriation act of the 2023 or 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys appropriated in fiscal year 2025 for a pay parity adjustment for the administrative law judges.

Sec. 70.

STATE BOARD OF TAX APPEALS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (562-00-1000-0103).....\$44,060
IT modernization.....\$365,000

Provided, For the fiscal year ending June 30, 2023, 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 information technology modernization 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: *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 2023 to be used for such information technology modernization project, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and 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 of up to \$365,000 as available from such funds to the special revenue fund of the state board of tax appeals and as designated by the executive director of the state board of tax appeals for the purpose of funding such informational technology modernization: *And provided further*; That on the effective date of such transfer, of the \$365,000 appropriated for the above agency for the fiscal year ending June 30, 2023, in the IT modernization account, the aggregate amount transferred 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. 71.

STATE BOARD OF TAX APPEALS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (562-00-1000-0103).....\$1,019,036

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Any unencumbered balance in the IT modernization account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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).....No limit
BOTA filing fee fund (562-00-2240-2240).....\$1,153,480

Sec. 72.

DEPARTMENT OF REVENUE

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 57(b) of chapter 81 of the 2022 Session Laws of Kansas on the division of vehicles operating fund (565-00-2089-2020) of the department of revenue is hereby increased from \$51,031,404 to \$51,591,790.

(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:

American rescue plan - state relief (565-00-3756-3536).....\$0

Sec. 73.

DEPARTMENT OF REVENUE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (565-00-1000-0303).....\$16,018,235

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023 is hereby reappropriated for fiscal year 2024:

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, 2024, 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).....\$51,998,988

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, 2024: *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
<i>Provided</i> , 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: <i>Provided further</i> ; 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
<i>Provided</i> , That expenditures may be made from the special training fund for operating expenditures, including official hospitality, incurred for conferences, training seminars, workshops and examinations: <i>Provided further</i> ; 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: <i>And provided further</i> ; 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: <i>And provided further</i> ; 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
<i>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.</i>	
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
<i>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.</i>	
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. 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

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 (565-00-9019-9019).....	No limit
Fleet rental vehicle	
administration fund (565-00-2799-2799).....	No limit
Fleet rental vehicle clearing fund (565-00-9089-9089).....	No limit
Taxpayer notification costs fund (565-00-2852-2852).....	No limit
Kansas historic site fund (565-00-2872-2872).....	No limit
Gage park improvement authority	
sales tax fund (565-00-2874-2874).....	No limit
Commercial driver	
education fund (565-00-2876-2876).....	No limit
License plate replacement fund.....	No limit
American rescue plan - state relief (565-00-3756-3536).....	\$0

(c) On July 1, 2023, October 1, 2023, January 1, 2024, and April 1, 2024, the director of accounts and reports shall transfer \$12,636,725 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, 2023, 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) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,000,000 from the state general fund to the division of vehicles modernization fund (565-00-2390-2390) of the department of revenue.

(f) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,240,000 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.

(g) For the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the above agency, 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 license plate replacement, 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 2024 to be used for such license plate replacements, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and 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 of up to \$9,800,000 as available

from such funds to the special revenue fund of the above agency designated by the secretary of the above agency for the purpose of replacing license plates: *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 such funds shall be expended for such license plate replacement: *Provided, however*; That if moneys are not available to be transferred from any such special revenue funds to fund such license plate replacement, such license plate replacement shall not be funded pursuant to this subsection.

Sec. 74.

KANSAS LOTTERY

(a) On the effective date of this act, the aggregate of the amounts authorized by section 58(b) of chapter 81 of the 2022 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, 2023, is hereby increased from \$67,990,000 to \$69,490,000.

Sec. 75.

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, 2024, 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
<i>Provided</i> , 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
Sports wagering receipts fund (450-00-2946-2946).....	No limit
Privilege fee repayment fund (450-00-2947-2947).....	No limit

(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, 2023; 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, 2023, and on or before the 15th of each month thereafter through June 15, 2024: *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, 2024: *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 2024 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 15th of each month through June 15, 2024, 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 2024 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 2024 is equal to or more than \$69,990,000: *And provided further*, That the aggregate of all amounts transferred from the lottery operating fund to the state gaming revenues fund for fiscal year 2024 pursuant to this subsection shall be equal to or more than \$69,990,000: *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 2024.

(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 2024, 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, 2024, 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 2024: *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, 2024, authorized by section 83(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, 2024, 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 2024 to the director of the budget and the director of legislative research.

(e) During the fiscal year ending June 30, 2024, notwithstanding the provisions of K.S.A. 74-8720, and amendments thereto, or 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 any special revenue fund or funds for fiscal year 2024 as authorized by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by such agency from such moneys to provide the name and address of all persons who claim a Kansas lottery prize of \$10,000 or more to the office of inspector general established under K.S.A. 75-7427, and amendments thereto: *Provided*, That the office of inspector general shall use information received pursuant to this subsection solely for the purposes of carrying out

the powers, duties and functions prescribed by K.S.A. 75-7427, and amendments thereto: *Provided further*, That the office of inspector general shall not publicly disclose the identity of any lottery prize winner, including recipients for whom such prize affects such recipient's eligibility for or receipt of medical assistance.

Sec. 76.

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, 2024, 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
<i>Provided</i> , 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: <i>Provided further</i> , 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
<i>Provided</i> , That expenditures from the tribal gaming fund for official hospitality shall not exceed \$1,000.	
Expanded lottery regulation fund (553-00-2535).....	No limit
<i>Provided</i> , 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, 2023, 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, 2024, 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 2024 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 2024 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, 2024, 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 2024 for the Kansas racing and gaming commission by this or other appropriation act of the 2023 regular session of the legislature, expenditures, which are hereby authorized, may be made from the tribal gaming fund for fiscal year 2024 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 department of commerce that is directed to be made on or before June 30, 2024, by K.S.A. 74-8831(b) (1), and amendments thereto, and shall transfer on or before June 30, 2024, the amount equal to 15% of all moneys credited to the Kansas greyhound breeding development fund during the fiscal year ending June 30, 2024, 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, 2024, 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. 77.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state general fund for the

fiscal year ending June 30, 2024, the following:

Advantage Kansas (300-00-1000).....\$126,616
Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the advantage Kansas account is hereby reappropriated for fiscal year 2024.

APEX (300-00-1000).....\$6,250,000
Housing revolving loan program (300-00-1000).....\$20,000,000

Provided, That any unencumbered balance in the rural housing revolving loan program account (252-00-1000-0640) of the governor's department in excess of \$100 as of June 30, 2023, is hereby reappropriated to the housing revolving loan program account of the above agency for fiscal year 2024: *Provided further*; That expenditures may be made from the housing revolving loan program account to provide loans or grants to communities for moderate-and-low-income housing development, including infrastructure necessary to support that development: *And provided further*; That during the fiscal year ending June 30, 2024, expenditures shall be made by the above agency from such moneys available in the housing revolving loan program account in an amount of not less than 50% for loans or grants to rural communities.

Airport authority payment.....\$2,950,000

Provided, That expenditures shall be made by the above agency from the airport authority payment account for a payment to an airport authority in a Kansas county with a population greater than 40,000 and less than 60,000 as of the 2020 census for the lease or purchase of a building and equipment: *Provided further*; That such airport authority payment shall be for attracting a firm that creates 100 or more jobs and has a payroll of \$15,000,000 or more: *And provided further*; That for the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the above agency, 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 airport authority payment, 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: *And 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 2024 to be used for such airport authority payment, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and 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 of up to \$2,950,000 as available from such funds to the special revenue fund of the above agency and as designated by the secretary of commerce for the purpose of funding such airport authority payment: *And provided further*; That on the effective date of such transfer, of the \$2,950,000 appropriated for the above agency for the fiscal year ending June 30, 2024, by this section from the state general fund in the airport authority payment account, the aggregate amount transferred 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.

Any unencumbered balance in the following accounts in excess of \$100 as of June

30, 2023, is hereby reappropriated for fiscal year 2024: KBA grant commitments account; moderate income housing account; and Kansas semiquincentennial commission support account.

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2024, the following:

Main street program (300-00-1900-1175).....\$836,484

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the main street program account is hereby reappropriated for fiscal year 2024.

Older Kansans

employment program (300-00-1900-1140).....\$504,697

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the older Kansans employment program account is hereby reappropriated for fiscal year 2024.

Rural opportunity

zones program (300-00-1900-1150).....\$1,021,610

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the rural opportunity zones program account is hereby reappropriated for fiscal year 2024.

Senior community service

employment program (300-00-1900-1160).....\$8,071

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the senior community service employment program account is hereby reappropriated for fiscal year 2024.

Strong military

bases program (300-00-1900-1170).....\$200,714

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the strong military bases program account is hereby reappropriated for fiscal year 2024.

Governor's council of

economic advisors (300-00-1900-1185).....\$198,014

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the governor's council of economic advisors account is hereby reappropriated for fiscal year 2024.

Creative arts industries

commission (300-00-1900-1188).....\$1,009,403

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the creative arts industries commission account is hereby reappropriated for fiscal year 2024.

Operating grant (including

official hospitality) (300-00-1900-1110).....\$9,205,724

Provided, That any unencumbered balance in the operating grant (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the public broadcasting grants account is hereby reappropriated for fiscal year 2024.</i>	
Build up Kansas (300-00-1900-1230).....	\$2,625,000
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the build up Kansas account is hereby reappropriated for fiscal year 2024.</i>	
Community development (300-00-1900-1240).....	\$660,219
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the community development account is hereby reappropriated for fiscal year 2024.</i>	
International trade (300-00-1900-1250).....	\$1,412,030
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the international trade account is hereby reappropriated for fiscal year 2024.</i>	
Travel and tourism	
operating expenditures (300-00-1900-1901).....	\$4,843,361
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the travel and tourism operating expenditures account is hereby reappropriated for fiscal year 2024: Provided further, That expenditures from this account for official hospitality shall not exceed \$4,000.</i>	
Reemployment implementation (300-00-1900-1260).....	\$96,681
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the reemployment implementation account is hereby reappropriated for fiscal year 2024.</i>	
KIT/KIR programs (300-00-1900-1280).....	\$2,000,000
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the KIT/KIR programs account is hereby reappropriated for fiscal year 2024.</i>	
Registered apprenticeship (300-00-1900-1290).....	\$1,000,000
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the registered apprenticeship account is hereby reappropriated for fiscal year 2024.</i>	
Office of broadband development (300-00-1900-1270).....	\$1,015,304
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the office of broadband development account is hereby reappropriated for fiscal year 2024.</i>	
Small business R&D grants (300-00-1900-1300).....	\$1,000,000
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the small business R&D grants account is hereby reappropriated for fiscal year 2024.</i>	
Work-based learning (300-00-1900-1310).....	\$714,000
<i>Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the work-based learning account is hereby reappropriated for fiscal year 2024.</i>	
Kansas workforce marketing (300-00-1900).....	\$2,000,000
HEAL grants (300-00-1900).....	\$1,500,000
Emergency HEAL grants (300-00-1900).....	\$500,000
Rural champions (300-00-1900).....	\$150,000
Sunflower summer program.....	\$3,000,000
<i>Provided, That the above agency shall expend moneys in such account to recruit and add new venues geographically located across the state to participate in the program: Provided further, That if a participating venue does not require an admission price or requests a small donation for admission, then the above agency shall reimburse such</i>	

venue \$5 for each program ticket used for admission to such venue.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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
<i>Provided</i> , 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 2024, 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: <i>Provided further</i> , That all such expenditures shall be in addition to any expenditures made from the publication and other sales fund for fiscal year 2024: <i>And provided further</i> , 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
<i>Provided</i> , 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 Peysers 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
Technology-enabled fiduciary financial	
institutions development and	
expansion fund (300-00-2839).....	No limit
Economic adjustment assistance fund (300-00-3415).....	No limit
Pathway home 2 – federal fund (300-00-3734).....	No limit
Kansas commission for the United States	
semiquincentennial gifts and	
donations fund (300-00-7019).....	No limit
Attracting professional sports to	
Kansas fund (300-00-2942).....	No limit
Attracting powerful economic expansion	
payroll incentive fund (300-00-2943).....	No limit
Attracting powerful economic expansion	
new employee training and	
educaton fund (300-00-2944).....	No limit
Attracting powerful economic expansion Kansas	
residency incentive fund (300-00-2945).....	No limit
ARPA capital projects-broadband	
infrastructure – federal fund (300-00-3761).....	No limit
ARPA capital projects-digital technology	
connectivity – federal fund (300-00-3761).....	No limit
Broadband equity access and deployment	
program fund (300-00-3928-3928).....	No limit
State digital equity planning grant	
program fund (300-00-3927-2927).....	No limit
American rescue plan state relief –	
federal fund (300-00-3756).....	No limit

(d) The secretary of commerce is hereby authorized to fix, charge and collect fees during the fiscal year ending June 30, 2024, 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 2024, in accordance with the provisions of this or other appropriation act of the 2023 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 2024 for the department of commerce as authorized by this or other appropriation act of the 2023 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 2024 for official hospitality.

(f) During the fiscal year ending June 30, 2024, 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, 2024, from the state economic development initiatives fund for the department of commerce to another item of appropriation for fiscal year 2024 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) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$4,000,000 from the state general fund to the state economic development initiatives fund (300-00-1900-1100).

(h) During the fiscal year ending June 30, 2024, notwithstanding the provisions of K.S.A. 12-17,169, and amendments thereto, or 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 any special revenue fund or funds for fiscal year 2024 as authorized by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made from such moneys for the secretary of commerce to approve a city or county to finance a rural redevelopment project, as defined in K.S.A. 12-17,162, and amendments thereto, without the issuance of special obligation bonds up to an amount not to exceed \$25,000,000 for each such project: *Provided*, That such rural redevelopment project costs shall be made payable, both as to principal and interest, from any source as provided in K.S.A. 12-17,169(a)(1)(A) through (I), and amendments thereto.

(i) For the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the above agency, 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 studio upgrades of a public television broadcasting station in western Kansas in such station's current city, 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 2024 to be used for such studio upgrades, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and 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 of up to \$2,500,000 as available from such funds to the special revenue fund of the above agency designated by the secretary of commerce for the purpose of funding such studio upgrades: *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 such funds shall be expended for such studio upgrades: *Provided, however*, That if moneys are not available to be transferred from any such special revenue funds to fund such projects, such studio upgrades shall not be funded pursuant to this subsection: *And provided, however*, That if the board of directors or management of such public television broadcasting station approves a move to a different location or a plan to move to a different location during fiscal year 2024, no moneys shall be transferred pursuant to this subsection.

(j) (1) During the fiscal year ending June 30, 2024, notwithstanding the provisions of the STAR bonds financing act, K.S.A. 12-17,160 through 12-17,180, and amendments thereto, or 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 any special revenue fund or funds for fiscal year 2024 as authorized by this or any other appropriation act of the 2023 regular session of the legislature, expenditures may be made from such moneys for the secretary of commerce to approve a STAR bond project for a major amusement park or historic theater: *Provided*, That such approval shall be upon adoption of a STAR bond project plan and establishment of a STAR bond project district by a city or county for such major amusement park project or historic theater in accordance with K.S.A. 12-17,164 through 12-17,166, and amendments thereto: *Provided further*, That such major amusement park project or historic theater shall be eligible for financing by special obligation bonds payable from revenues described by K.S.A. 12-17,169(a)(1), and amendments thereto: *And provided further*, That such city or county is authorized to issue such special obligation bonds in one or more series to finance the undertaking of such major amusement park project or historic theater in accordance with the provisions of the STAR bonds financing act: *And provided further*, That the secretary shall review the STAR bond project plan and determine whether to approve such plan in accordance

with K.S.A. 12-17,167, and amendments thereto: *And provided further*, That any special obligation bonds issued to finance the major amusement park project or historic theater shall be subject to the provisions of the STAR bonds financing act: *And provided further*; That such major amusement park costs shall be considered project costs for the purposes of K.S.A. 12-17,162, and amendments thereto: *And provided further*; That a major amusement park area shall be considered an eligible area for purposes of K.S.A. 12-17,162, and amendments thereto: *And provided further*; That all such property included in, added to or removed from the STAR bond project district established pursuant to this subsection shall be subject to the provisions of the STAR bonds financing act: *And provided further*; That if such major amusement park project or historic theater uses state sales tax financing pursuant to K.S.A. 12-17,169, and amendments thereto, such project shall be subject to the requirements of K.S.A. 12-17,176, and amendments thereto: *And provided further*; That in the event that the city or county shall default in the payment of any STAR bonds payable from revenues described in K.S.A. 12-17,169(a)(1), and amendments thereto, no public funds shall be used to pay the holders thereof except as specifically authorized by the STAR bonds financing act: *And provided further*; That copies of all retailers' sales, use and transient guest tax returns filed with the secretary of revenue in connection with such major amusement park project shall be subject to the provisions of K.S.A. 12-17,174, and amendments thereto.

(2) For purposes of this subsection:

(A) "Amusement rides" means the same as defined in K.S.A. 44-1601, and amendments thereto, and includes such amusement rides and further include buildings necessary to house and operate such amusement park ride.

(B) "Major amusement park" means a project with amusement rides and upon which the secretary has made a finding that capital improvements of not less than \$100,000,000 will be built in the state to construct the major amusement park.

(C) "Major amusement park area" means an area containing a major amusement park.

Sec. 78.

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, 2025, the following:

Sunflower summer program.....\$3,000,000

Provided, That the above agency shall expend moneys in such account to recruit and add new venues geographically located across the state to participate in the program: *Provided further*; That if a participating venue does not require an admission price or requests a small donation for admission, then the above agency shall reimburse such venue \$5 for each program ticket used for admission to such venue.

Sec. 79.

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, 2024, 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. 80.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Unemployment insurance

modernization (296-00-1000-0520).....\$20,500,000

Provided, For the fiscal year ending June 30, 2023, 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 unemployment insurance modernization 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: *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 2023 to be used for such unemployment insurance modernization project in addition to the federal funds currently encumbered for such project, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and 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 of up to \$20,500,000 as available from such funds to the special revenue fund of the department of labor and as designated by the secretary of labor for the purpose of funding such unemployment insurance modernization: *And provided further*, That on the effective date of such transfer, of the \$20,500,000 appropriated for the above agency for the fiscal year ending June 30, 2023, in the unemployment insurance modernization account, the aggregate amount transferred 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) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, for the capital improvement project or projects specified, the following:

Capital improvements (296-00-1000).....\$792,000

(c) On July 1, 2023, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 64(b) of chapter 81 of the 2022 Session Laws of Kansas on the workmen's compensation fee fund (296-00-2124-2220) of the department of labor is hereby decreased from \$13,263,070 to \$12,067,209.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 145(c) of chapter 81 of the 2022 Session Laws of Kansas on the workmen's compensation fee fund (296-00-2124) of the department of labor for capital improvement purposes is hereby decreased from \$1,555,000 to \$528,000.

Sec. 81.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (296-00-1000-0503).....\$3,697,469

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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, 2024, 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).....\$270,730

Provided, That any unencumbered balance in the amusement ride safety account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Any unencumbered balance in the unemployment insurance modernization account (264-00-1000-0520) in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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).....\$12,321,935

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).....No limit

Provided, That in addition to the other purposes for which expenditures may be made by the department of labor from the employment security administration fund for fiscal year 2024 as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures may be made by the department of labor from the employment security administration fund for fiscal year 2024 from moneys made available to the state under section 903 of the federal social security act for the purpose of unemployment insurance modernization: *Provided further*, That expenditures from such fund for fiscal year 2024 of moneys made available to the state under section 903 of the federal social security act for such unemployment insurance modernization purposes shall not exceed \$4,821,302: *And provided further*, That all expenditures from the employment security administration fund for any such unemployment insurance modernization purposes shall be in addition to any expenditure limitation imposed on the employment security administration fund for fiscal year 2024.

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 other statute to the contrary, during fiscal year 2024, 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
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
American rescue plan state relief fund (296-00-3756-3536).....	No limit

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, 2023, the following:

Operating expenditures – administration (694-00-1000-0103).....	\$64,050
Operating expenditures – Kansas veterans' home (694-00-1000-0503).....	\$500,000
Veterans claim assistance program – service grants (694-00-1000-0903).....	\$150,000

(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2023, for the capital improvement project of projects specified, the following:

Northeast Kansas veterans' home (694-00-8100).....	\$849,167
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(c) On the effective date of this act, of the amount reappropriated for the above agency for the fiscal year ending June 30, 2023, by section 199(a) of chapter 81 of the 2022 Session Laws of Kansas from the state institutions building fund in the Halsey hall kitchen account (694-00-8100-8281), the sum of \$297,018 is hereby lapsed.

Sec. 82.

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, 2024, the following:

Operating expenditures – administration (694-00-1000-0103).....	\$1,085,340
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Provided, That any unencumbered balance in the operating expenditures – administration account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Operating expenditures – veteran services (694-00-1000-0203).....	\$1,606,833
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Provided, That any unencumbered balance in the operating expenditures – veteran services account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$2,500.

Operations – state veterans cemeteries (694-00-1000-0703).....	\$625,608
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Provided, That any unencumbered balance in the operations – state veterans cemeteries account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; That expenditures from this account for official hospitality shall not exceed \$1,500.

Operating expenditures – Kansas

soldiers' home (694-00-1000-0403).....\$4,530,709

Provided, That any unencumbered balance in the operating expenditures – Kansas soldiers' home account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Operating expenditures – Kansas

veterans' home (694-00-1000-0503).....\$4,612,149

Provided, That any unencumbered balance in the operating expenditures – Kansas veterans' home account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Veterans claim assistance program –

service grants (694-00-1000-0903).....\$850,000

Provided, That any unencumbered balance in the veterans claim assistance program – service grants account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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, 2024, 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
American rescue plan state	
relief fund (694-00-3756-3536).....	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, 2024, 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, 2024, 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, 2024, 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 2024 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, 2024, 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, 2024, 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, 2023, 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. 84.

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, 2024, the following:

Operating expenditures (including official
hospitality) (264-00-1000-0202).....\$5,665,494

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Operating expenditures (including official
hospitality) – health (264-00-1000-0270).....\$4,433,530

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) – health account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

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, 2023, is hereby reappropriated for fiscal year 2024.

Aid to local units (264-00-1000-0350).....\$7,405,709

Provided, That any unencumbered balance in the aid to local units account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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).....\$15,750,690

Provided, That any unencumbered balance in the aid to local units – primary health projects account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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 \$15,750,690 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).....\$7,500,000

Provided, That any unencumbered balance in the infant and toddler program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; That during the fiscal year ending June 30, 2024, expenditures shall be made by the above agency from the infant and toddler program account in the amount of \$7,500,000 for the purposes of aid to local units and other assistance: *And provided further*; That such moneys shall not be expended for administrative costs incurred by the above agency: *And provided further*; That expenditures of at least \$1,500,000 shall be made from such account to provide early childhood vision services for children served by the Kansas state school for the blind.

Aid to local units –

women's wellness (264-00-1000-0610).....\$444,296

Provided, That any unencumbered balance in the aid to local units – women's wellness account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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, 2023, is hereby reappropriated for fiscal year 2024.

Breast cancer

screening program (264-00-1000-1300).....\$1,219,336

Provided, That any unencumbered balance in the breast cancer screening program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Pregnancy maintenance

initiative (264-00-1000-1100).....\$677,692

Provided, That any unencumbered balance in the pregnancy maintenance initiative account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

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, 2023, is hereby reappropriated for fiscal year 2024: *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, 2023, is hereby reappropriated for fiscal year 2024.

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, 2023, is hereby reappropriated for fiscal year 2024.

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, 2023, is hereby reappropriated for fiscal year 2024.

Lyme disease prevention and research (264-00-1000-0670).....\$140,000

Provided, That any unencumbered balance in the lyme disease prevention and research account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Child abuse review

and evaluation (264-00-1000-1550).....\$758,317

Provided, That any unencumbered balance in the child abuse review and evaluation account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures shall be made from the child abuse review and evaluation program account to train healthcare providers to recognize signs of child abuse and reimburse reviews and examinations conducted by such trained healthcare providers: *And provided further*, That on or before January 8, 2024, the above agency shall submit a report to the house of representatives committee on appropriations and the senate committee on ways and means on services provided and the location of services provided by the program.

Childcare pilot (264-00-1000).....\$2,500,000

Provided, That for the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the above agency, the amount of moneys from any

federal law that appropriates moneys to the state that are eligible to be used for such childcare pilot program, 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, 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 are available during fiscal year 2024 to be used for such childcare pilot program, the director of the budget shall certify the amount of any such additional federal moneys to the director of accounts and reports, and 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 of up to \$2,500,000 as available from such funds to the special revenue fund of the above agency as designated by the secretary of health and environment for the purpose of funding such childcare pilot program: *And provided further*, That on the effective date of such transfer, of the \$2,500,000 appropriated for the above agency for the fiscal year ending June 30, 2024, by this section from the state general fund in the childcare pilot account, the aggregate amount transferred 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.

Tobacco cessation program.....\$938,756
 Specialty health care access programs (264-00-1000-1450).....\$500,000

Provided, That any unencumbered balance in the specialty health care access programs account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures shall be made from the specialty health care access programs account of \$250,000 each to the project access of Wichita program and the Wy Jo care of Wyandotte and Johnson counties program.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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 2024, expenditures may be made by the department of health and environment from the health and environment training fee fund – health for fiscal year 2024 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
<i>Provided</i> , 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 (264-00-3559-3559).....	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 (264-00-3907-3907).....	No limit
ARRA collaborative component I –	
federal fund (264-00-3890-3891).....	No limit
ARRA collaborative component III –	
federal fund (264-00-3890-3892).....	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 2024 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 2024 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, 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: Provided further, That expenditures from the nuclear safety emergency preparedness special revenue fund for official hospitality shall not exceed \$2,500.</i>	
Radiation control operations	
fee fund (264-00-2531-2530).....	No limit
<i>Provided, That expenditures from the radiation control operations fee fund for official hospitality shall not exceed \$2,000.</i>	
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 (264-00-3755-3756).....	No limit
Coronavirus relief fund (264-00-3753-3753).....	No limit
Rural hospital innovation grant fund (264-00-2871-2871).....	No limit
American rescue plan state relief fund (264-00-3756-3536).....	No limit
Community health workers for COVID response and resilient communities fund (264-00-3832-3832).....	No limit
Maternal deaths due to violence fund (264-00-3724-3724).....	No limit
SHIP COVID testing and mitigation fund (264-00-3651-3651).....	No limit
Adult viral hepatitis prevention and control fund (264-00-3641-3641).....	No limit
COVID 19 health disparities fund (264-00-3683-3683).....	No limit
Kansas environmental health capacity program fund (264-00-3660-3660).....	No limit
HIV care formula grant federal fund (264-00-3328-3311).....	No limit
Drug endangered children in Kansas fund (264-00-3657-3657).....	No limit
Strengthening U.S. public health fund (264-00-3926-3926).....	No limit
Expanding COVID-19 vaccination fund (264-00-3931-3931).....	No limit

(c) On July 1, 2023, and on other occasions during fiscal year 2024, 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, 2024, 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, 2024, 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, 2024, 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 2024 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 2024 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 2024, as authorized by this or other appropriation act of the 2023 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 2024 pursuant to K.S.A. 22a-242, and amendments thereto.

(h) On July 1, 2023, 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, 2024, the following:

Healthy start (264-00-2000-2105).....\$1,652,876

Provided, That any unencumbered balance in the healthy start account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

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, 2023, is hereby reappropriated for fiscal year 2024.

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, 2023, is hereby reappropriated for fiscal year 2024.

SIDS network grant (264-00-2000-2115).....\$122,106

Provided, That any unencumbered balance in the SIDS network grant account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(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 2024 from moneys appropriated from the state general fund or any special revenue fund or funds by this or any other appropriation act of the 2023 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) 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, 2024, 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 2024 by this or any other appropriation act of the 2023 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.

(l) 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 2024, as authorized by this or other appropriation act of the 2023 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 2024 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. 85.

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, 2023, the following:

Health policy operating expenditures (264-00-1000-0010).....\$249,455

(b) On the effective date of this act, of the \$692,680,872 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 70(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the other medical assistance account (264-00-1000-3026), the sum of \$158,782,182 is hereby lapsed.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 70(b) of chapter 81 of the 2022 Session Laws of Kansas on the medical programs fee fund (264-00-2395-0110) of the department of health and environment – division of health care finance is hereby increased from \$126,123,554 to \$135,923,554.

Sec. 86.

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, 2024, the following:

Operating expenditures (264-00-1000-0010).....\$23,262,331

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures shall be made from the 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).....\$51,836,512

Provided, That any unencumbered balance in the children's health insurance program in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Other medical assistance (264-00-1000-3026).....\$700,032,680

Provided, That any unencumbered balance in the other medical assistance account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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 2024.

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, 2023, is hereby reappropriated for fiscal year 2024.

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, 2023, is hereby reappropriated for fiscal year 2024.

Special enhanced FMAP (264-00-1000-0449).....\$4,000,000

Provided, That any unencumbered balance in the special enhanced FMAP account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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:

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, 2024, 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).....\$126,123,554

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 (264-00-6001-6001).....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

Ryan White title II –

federal fund (264-00-3328-3310).....No limit

(c) During the fiscal year ending June 30, 2024, 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, 2024, 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, 2024, 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 2024 by this or any other appropriation act of the 2023 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.

(e) During the fiscal year ending June 30, 2024, 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 2024 by this or any other appropriation act of the 2023 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.

(f) During the fiscal year ending June 30, 2024, 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 2024 by this or any other appropriation act of the 2023 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.

(g) During the fiscal year ending June 30, 2024, notwithstanding the provisions of K.S.A. 38-2001, and amendments thereto, or 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 2024 by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency to provide coverage under the state children's health insurance program for children residing in a household that has a gross household income not to exceed 250% of the federal poverty guidelines.

Sec. 87.

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, 2024, the following:

Operating expenditures (including official
hospitality) (264-00-1000-0300).....\$4,084,972
Provided, That any unencumbered balance in the operating expenditures (including
official hospitality) account in excess of \$100 as of June 30, 2023, is hereby
reappropriated for fiscal year 2024.
Lab equipment replacement (264-00-1000).....\$280,000

Any unencumbered balance in the KDHE lab account (264-00-1000-8750) in excess
of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the following special revenue
fund or funds for the fiscal year ending June 30, 2024, 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, 2024, 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 2024, expenditures may be made by the department of health and environment from the health and environment training fee fund – environment for fiscal year 2024 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</i> , 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: <i>Provided further</i> , That expenditures from this fund shall be made to provide for the payment of such matching grants.	
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 UST redevelopment fund for fiscal year 2024 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 (264-00-7396-7096).....	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 2024 related to asbestos remediation, as certified by the secretary of health and environment, shall be credited to the asbestos remediation fund.

Increasing technical assistance for
 regenerative agriculture peer mentoring
 programs fund (264-00-3083-3083).....No limit

Sewer overflow municipal grants
 program fund (264-00-3707-3707).....No limit

American rescue plan state
 relief fund (264-00-3756-3536).....No limit

Lead-based paint hazard
 fee fund (264-00-2289-2140).....No limit

Gulf of Mexico program fund (264-00-3703-3703).....No limit

Assistance for small and disadvantaged
 communities drinking water grant
 program fund (264-00-3655-3655).....No limit

Expanding COVID-19
 vaccination fund (264-00-3931-3931).....No limit

Strengthening U.S. public
 health fund (264-00-3926-3926).....No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2024, for the state water plan project or projects specified as follows:

Contamination remediation (264-00-1800-1802).....\$1,095,978

Provided, That any unencumbered balance in the contamination remediation account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Local environmental
 protection program (264-00-1800-1803).....\$250,000

TMDL initiatives and use
 attainability analysis (264-00-1800-1805).....\$384,916

Provided, That any unencumbered balance in the TMDL initiatives and use attainability analysis account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Watershed restoration and
 protection plan (264-00-1800-1808).....\$1,000,000

Provided, That any unencumbered balance in the watershed restoration and protection plan account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Nonpoint source program (264-00-1800-1804).....\$414,893

Provided, That any unencumbered balance in the nonpoint source program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Milford and Marion reservoirs harmful algae
 bloom pilot (264-00-1800-1810).....\$150,547

Provided, That any unencumbered balance in the Milford and Marion reservoirs harmful algae bloom pilot account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Drinking water protection (264-00-1800-1806).....\$800,000

Provided, That any unencumbered balance in the drinking water protection account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Stream trash removal (264-00-1800).....\$50,000

(d) During the fiscal year ending June 30, 2024, 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 2024 from the state water plan fund for the department of health and environment – division of environment to another item of appropriation for fiscal year 2024 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, 2024, 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 10th day of each month by K.S.A. 65-3024, and amendments thereto.

(f) On July 1, 2023, and on other occasions during fiscal year 2024 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, 2024, 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, 2024, 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 2024 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 2024 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, 2024, 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.

Sec. 88.

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, 2023, the following:

Alcohol and drug abuse services grants (039-00-1000-1010).....\$1,900,000

Provided, That, the above agency shall distribute the moneys in the alcohol and drug abuse services grants account in fiscal year 2023 for all allowable purposes in accordance with specifications of the federal grant guidelines, including medication and treatment.

(b) On the effective date of this act, of the \$431,984,882 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 74(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the KanCare caseloads account (039-00-1000-0610), the sum of \$40,763,382 is hereby lapsed.

(c) On the effective date of this act, of the \$44,169,770 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 74(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the non-KanCare caseloads account (039-00-1000-0611), the sum of \$4,031,990 is hereby lapsed.

(d) On the effective date of this act, of the \$2,586,200 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 144(a) of chapter 81 of the 2022 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 \$18 is hereby lapsed.

(e) On the effective date of this act, of the \$2,771,500 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 133(a) of chapter 5 of the 2020 Session Laws of Kansas from the state institutions building fund in the EMR infrastructure fund account (039-00-8100-8200), the sum of \$173,362 is hereby lapsed.

(f) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 74(b) of chapter 81 of the 2022 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 \$7,248,619 to \$7,251,500.

(g) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 74(b) of chapter 81 of the 2022 Session Laws of Kansas on the social service block grant fund (039-00-3307-3371) of the Kansas department for aging and disability services is hereby increased from

\$4,499,999 to \$4,500,000.

(h) During the fiscal year ending June 30, 2023, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated from the state general fund or in any special revenue fund or funds as authorized by section 74 of chapter 81 or section 28 of chapter 97 of the 2022 Session Laws of Kansas, this or any other appropriation act of the 2023 regular session of the legislature, the above agency shall make expenditures from such moneys to enter into agreements to conduct a study of inpatient treatment facility and community-based treatment options, including but not limited to PRTFs, for treatment of patients under the age of 21 with complex and co-occurring psychiatric disorders combined with I/DD or other cognitive disabilities that result in higher acuity or aggressive behavior, or both, that can cause them to be a risk of harm to themselves or others, including developmental disorders such as Smith-Magenis syndrome: *Provided further*; That such study shall include specific recommendations to fill gaps encountered in serving such youth across the state's service delivery systems: *And provided further*; That such study shall be submitted to the house of representatives committee on social services budget and the appropriate subcommittee of the senate committee on ways and means prior to the start of the 2024 regular session of the legislature.

(i) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 74(b) of chapter 81 of the 2022 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 decreased from \$4,443,456 to \$3,779,252.

(j) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 74(b) of chapter 81 of the 2022 Session Laws of Kansas on the Osawatomie state hospital certified care fund (494-00-2079-4201) of the Kansas department for aging and disability services is hereby decreased from \$5,370,468 to \$5,323,434.

(k) During the fiscal year ending June 30, 2023, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated in the opioid abuse treatment and prevention federal fund (039-00-3023-3024) as authorized by section 74 of chapter 81 of the 2022 Session Laws of Kansas, this or any other appropriation act of the 2023 regular session of the legislature, the above agency shall make expenditures from such moneys for all allowable purposes in accordance with specifications of the federal grant guidelines, including medication and treatment.

(l) During the fiscal year ending June 30, 2023, notwithstanding the provisions of K.S.A. 39-2019, and amendments thereto, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2023 as authorized by section 74 of chapter 81 or section 28 of chapter 97 of the 2022 Session Laws of Kansas, this or any other appropriation act of the 2023 regular session of the legislature, the above agency shall make expenditures from such moneys for the purpose of certifying community behavioral health clinics when such clinics are ready and meet the requirements for certification in advance of the deadlines established in K.S.A. 39-2019, and amendments thereto.

Sec. 89.

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, 2024, 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

Provided, That any unencumbered balance in the administration official hospitality account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

PASRR (039-00-1000-0210).....\$903,780

Provided, That any unencumbered balance in the PASRR account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

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, 2023, is hereby reappropriated for fiscal year 2024: *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 2023 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 2023: *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 2024 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 2023: *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).....\$5,545,725

Provided, That any unencumbered balance in the program grants – nutrition – state match account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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 2023 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 2023: *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 2024 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 2023: *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).....\$4,614,869

Provided, That any unencumbered balance in the community services and programs account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

KanCare caseloads (039-00-1000-0610).....\$551,600,000

Provided, That any unencumbered balance in the KanCare caseloads account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Non-KanCare caseloads (039-00-1000-0611).....\$53,200,000

Provided, That any unencumbered balance in the non-KanCare caseloads account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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).....\$421,197,003

Provided, That any unencumbered balance in the KanCare non-caseloads account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

State operations (039-00-1000-0801).....\$41,009,579

Provided, That any unencumbered balance in the state operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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).....\$8,915,447

Provided, That any unencumbered balance in the alcohol and drug abuse services grants account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures shall be made by the above agency from such account to provide reimbursement to organizations that provide substance use disorder treatment for uninsured individuals: *Provided, however*, That prior to making any expenditures from such account to provide reimbursement to organizations that provide substance use disorder treatment for uninsured individuals, the above agency shall make expenditures of unencumbered moneys in the problem gambling and addictions grant fund for such purpose: *And provided further*, That on June 30, 2024, the director of the budget shall certify to the director of accounts and reports the total amount of expenditures from the problem gambling and addictions grant fund for fiscal year 2024 for reimbursement to organizations that provide substance use disorder treatment for uninsured individuals: *And provided further*, That of the \$8,915,447 appropriated for the above agency for the fiscal year ending June 30, 2024, by this section from the state general fund in the alcohol and drug abuse services grants account, 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.

Community mental health centers

supplemental funding (039-00-1000-3001).....\$54,184,328

Provided, That any unencumbered balance in the community mental health centers supplemental funding account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Regional beds funding (039-00-1000-3003).....\$29,650,000

Provided, That any unencumbered balance in the regional beds funding account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

BH community aid (039-00-1000-3004).....\$28,133,075

Provided, That any unencumbered balance in the BH community aid account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024; *Provided further*, That expenditures shall be made from this account for the EmberHope Youthville pilot program not to exceed \$1,000,000.

CDDO support (039-00-1000-4001).....\$10,974,857

Provided, That any unencumbered balance in the CDDO support account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Kansas neurological institute – operating

expenditures (363-00-1000-0303).....\$15,023,961

Provided, That any unencumbered balance in the Kansas neurological institute – operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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).....\$40,953,861

Provided, That any unencumbered balance in the Larned state hospital – operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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 – 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, 2023, is hereby reappropriated for fiscal year 2024.

Larned state hospital – sexual predator treatment

program (410-00-1000-0200).....\$23,709,337

Provided, That any unencumbered balance in the Larned state hospital – sexual predator treatment program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Osawatomi state hospital – operating expenditures (494-00-1000-0100).....\$34,451,306

Provided, That any unencumbered balance in the Osawatomi state hospital – operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*; That expenditures from the Osawatomi state hospital – operating expenditures account for official hospitality by the superintendent shall not exceed \$150.

Osawatomi state hospital – certified care expenditures (494-00-1000-0101).....\$7,010,819

Provided, That any unencumbered balance in the Osawatomi state hospital – certified care expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Osawatomi state hospital – SPTP MiCo (494-00-1000-0200).....\$1,184,324

Provided, That any unencumbered balance in the Osawatomi state hospital – SPTP MiCo account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Parsons state hospital and training center – operating expenditures (507-00-1000-0100).....\$17,057,916

Provided, That any unencumbered balance in the Parsons state hospital and training center – operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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, 2023, is hereby reappropriated for fiscal year 2024.

Any unencumbered balance in the other medical assistance account (039-00-1000-3002) in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the following special revenue

fund or funds for the fiscal year ending June 30, 2024, 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

Osawatomi state hospital title XIX

reimbursements fund (494-00-2080-4300).....No limit

Osawatomi 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).....\$1,324,481

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).....\$3,970,643

Larned state hospital –

canteen fund (410-00-7806-7000).....No limit

Larned state hospital – patient

benefit fund (410-00-7912-7100).....No limit

Larned state hospital – work therapy patient

benefit fund (410-00-7938-7200).....No limit

Osawatomi state hospital

fee fund (494-00-2079-4200).....\$1,717,298

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).....	\$4,172,838
Osawatomi state hospital – cottage revenue and expenditures fund (494-00-2159-2159).....	No limit
Osawatomi state hospital – training fee revolving fund (494-00-2602-2000).....	No limit

Provided, That all moneys received as fees for training activities for 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 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 – motor pool revolving fund (494-00-6164-5200).....	No limit
Osawatomi state hospital – canteen fund (494-00-7807-5600).....	No limit
Osawatomi state hospital – patient benefit fund (494-00-7914-5700).....	No limit
Osawatomi state hospital – work therapy patient benefit fund (494-00-7939-5800).....	No limit

Parsons state hospital and training center fee fund (507-00-2082-2200).....	\$1,050,000
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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.

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
DADS social welfare fund (039-00-2141-2195).....	No limit
Indirect cost fund (039-00-2193-2193).....	No limit

Health occupations credentialing fee fund (039-00-2315-2315).....	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
Medical resources and collection fund (039-00-2363-2100).....	No limit
<i>Provided</i> , 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: <i>Provided further</i> ; 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: <i>And provided further</i> ; 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: <i>And provided further</i> ; That expenditures from such fund shall be made to protect the health or property of adult care home residents as required by federal law.	
Problem gambling and addictions grant fund (039-00-2371-2371).....	\$8,401,097
<i>Provided</i> , That expenditures shall be made by the above agency from the problem gambling and addictions grant fund, not to exceed \$5,000,000, to provide reimbursement to organizations that provide substance use disorder treatment for uninsured individuals.	
State licensure fee fund (039-00-2373-2370).....	No limit
General fees fund (039-00-2524-2500).....	No limit
<i>Provided</i> , 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: <i>Provided further</i> ; 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: <i>And provided further</i> ; 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.	
Senior citizen nutrition check-off fund (039-00-2660-2610).....	No limit
Other state fees fund – community alcohol treatment (039-00-2661-0000).....	No limit
988 suicide prevention and mental health crisis hotline fund (039-00-2913-2913).....	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.

- Opioid abuse treatment & prevention –
 - federal fund (039-00-3023-3024).....No limit
- Kansas national background check program –
 - federal fund (039-00-3032-3132).....No limit
- Money follows the person grant –
 - federal fund (039-00-3054-4000).....No limit
- Survey & certification –
 - federal fund (039-00-3064-3064).....No limit

Provided, That transfers of moneys from the survey & certification – federal fund to the state fire marshal may be made during fiscal year 2024 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.

- Substance abuse/mental health
 - services – partnership for success –
 - federal fund (039-00-3284-1327).....No limit
- Special program for aging IIID –
 - federal fund (039-00-3286-3285).....No limit
- Special program for aging IIIB –
 - federal fund (039-00-3287-3281).....No limit
- Special program for aging IV & II –
 - federal fund (039-00-3288-3297).....No limit
- National family caregiver support program IIIE –
 - federal fund (039-00-3289-3201).....No limit
- Nutrition services incentives –
 - federal fund (039-00-3291-3305).....No limit
- Prevention/treatment substance abuse –
 - federal fund (039-00-3301-0310).....No limit
- Social service block
 - grant fund (039-00-3307-3371).....\$4,500,000

Provided, 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 2023 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 2023: *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 2024 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 2023: *And provided further*, 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.

Community mental health block grant –	
federal fund (039-00-3310-0460).....	No limit
Temporary assistance for needy families –	
federal fund (039-00-3323-3323).....	No limit
PATH – federal fund (039-00-3347-4316).....	No limit
Special program for aging VII-2 –	
federal fund (039-00-3358-3072).....	No limit
TBI partnership	
program fund (039-00-3376-3376).....	No limit
Disaster response for Children –	
federal fund (039-00-3385-3591).....	No limit
Special program for aging VII-3 –	
federal fund (039-00-3402-3000).....	No limit
Center for medicare/medicaid service –	
federal fund (039-00-3408-3300).....	No limit
Medicare fund – oasis (039-00-3408-3350).....	No limit
<i>Provided</i> , 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.	
Medicare fund – SHICK (039-00-3408-3400).....	No limit
Medical assistance program –	
federal fund (039-00-3414-0442).....	No limit
Children's health insurance –	
federal fund (039-00-3424-3420).....	No limit
Special program for aging IIIC –	
federal fund (039-00-3425-3423).....	No limit
Medicare enrollment assistance program	
fund – federal (039-00-3468-3450).....	No limit
Systems of care grant –	
federal fund (039-00-3595-3595).....	No limit
SAMHSA covid-19 supplemental –	
federal fund (039-00-3672-3997).....	No limit
SSA xx ombudsman cares FFY21 –	
federal fund (039-00-3680-3083).....	No limit
KS assisted outpatient treatment –	
federal fund (039-00-3733-3101).....	No limit
ADAS data collection grant –	
federal fund (039-00-3887-3887).....	No limit
Long-term care loan and	
grant fund (039-00-5110-5100).....	No limit
KDFA refunding revenue bond	

2013B fund (039-00-7111).....	No limit
Trust fund (039-00-7299).....	No limit
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.

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
American rescue plan	
state relief fund (039-00-3756-3536).....	No limit

Provided, That expenditures shall be made by the above agency for fiscal year 2024 from the American rescue plan state relief fund to expand the PACE program to additional Kansas counties in an amount not to exceed \$2,500,000.

(c) On July 1, 2023, and at other times during fiscal year 2024, 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, 2023, 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, 2023, 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, 2023, 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, 2024, 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, 2024, 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 2024 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 2024 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, 2024, 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 2024 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 2024 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 2024 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 2024 for the department of health and environment – division of public health, as authorized by this or other appropriation act of the 2023 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 2024 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 2024: *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 2024 for the Kansas department for aging and disability services, as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the secretary for aging and disability services for fiscal year 2024 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) During the fiscal year ending June 30, 2024, 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 2024 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.

(l) 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 2024.

(m) During the fiscal year ending June 30, 2024, 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 2024 by this or any other appropriation act of the 2023 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 2024 shall not exceed \$4,000,000.

(n) During the fiscal year ending June 30, 2024, 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 2023 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.

(o) During the fiscal year ending June 30, 2024, 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 2023 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.

(p) During the fiscal year ending June 30, 2024, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated from the state general fund or in any special revenue fund or funds as authorized by this or any other appropriation act of the 2023 regular session of the legislature, the above agency shall make expenditures from such moneys to establish guidelines for nursing facilities, as defined in K.S.A. 39-923, and amendments thereto, to request a waiver from staffing requirements and to study establishing similar guidelines for other adult care homes, as defined in K.S.A. 39-923, and amendments thereto: *Provided*, That any such guidelines shall be compatible with rules established by the United States centers for medicare and medicaid services.

(q) During the fiscal year ending June 30, 2024, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated from the state general fund or in any special revenue fund or funds as authorized by this or any other appropriation act of the 2023 regular session of the legislature, the above agency shall make expenditures from such moneys to enter into agreements with community mental health centers for the purpose of establishing rates for conducting mobile competency evaluations.

(r) During the fiscal year ending June 30, 2024, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated from the state general fund or in any special revenue fund or funds as authorized by this or any other appropriation act of the 2023 regular session of the legislature, the above agency shall make expenditures from such moneys to enter into agreements to conduct a study of inpatient treatment facility and community-based treatment options, including, but not limited to, psychiatric residential treatment facilities, for treatment of patients under the age of 21 with complex and co-occurring psychiatric disorders combined with intellectual disabilities, developmental disabilities or other cognitive disabilities that result in higher acuity or aggressive behavior that can cause them to be a risk of harm to themselves or others, including developmental disorders such as Smith-Magenis syndrome: *Provided further*, That such study shall include specific recommendations to fill gaps encountered in serving such youth across the state's service delivery systems.

(s) During the fiscal year ending June 30, 2024, notwithstanding the provisions of K.S.A. 39-2019, and amendments thereto, in addition to the other purposes for which the above agency may make expenditures from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 as authorized by this or any other appropriation act of the 2023 regular session of the legislature, the above agency shall make expenditures from such moneys for the purpose of certifying community behavioral health clinics when such clinics are ready and meet the requirements for certification in advance of the deadlines established in K.S.A. 39-2019, and amendments thereto.

(t) During the fiscal year ending June 30, 2024, 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 2024 by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys for the purpose of preparing a report on such agency's progress to build capacity for crisis services for Kansans with intellectual or developmental disability: *Provided*, That such report shall be submitted to the senate committee on public health and welfare, the appropriate subcommittee of the senate committee on ways and means, the house of representatives committee on health and human services and the house of representatives committee on social services budget.

(u) During the fiscal year ending June 30, 2024, 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 2024 by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys during fiscal year 2024 for the purpose of reviewing the overall costs of providing services within the intellectual and developmental disability service system and making recommendations to the legislature for a method to make regular rate adjustments for such services based on inflationary indexes.

(v) During the fiscal year ending June 30, 2024, 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 2024 by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys during fiscal year 2024 for the purpose of submitting to the United States centers for medicare and medicaid services an approval request to develop a home and community-based services community supports waiver to provide services to individuals with intellectual or developmental disability: *Provided*, That the waiver application for such program shall reflect the recommendations of the 2022 Special Committee on Intellectual and Developmental Disability Waiver Modernization, including a per-person maximum of \$20,000 and offering services for transportation, supported employment, individual-directed goods and services, personal care, respite, therapy, assistive technology, independent living, family or caregiver support and training, financial management services and support brokers and benefits counseling.

(w) During the fiscal year ending June 30, 2024, 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 2024 by

this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys during fiscal year 2024 for the purpose of providing a 5% increase to medicaid rates for services provided under a program for all-inclusive care for the elderly.

(x) During the fiscal year ending June 30, 2024, 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 2024 as authorized by this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys in an amount not to exceed \$5,000,000 for the purpose of reimbursing healthcare providers, law enforcement and other county entities for unpaid costs of patient observation and transportation.

(y) For the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the above agency, 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 mental health bed expansion in the Sedgwick county regional area, 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 2024 to be used for such mental health bed expansion, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and 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 of up to \$22,000,000 as available from such funds to the special revenue fund of the above agency designated by the secretary for aging and disability services for the purpose of funding such mental health bed expansion: *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 such funds shall be expended for such mental health bed expansion: *Provided, however*, That if moneys are not available to be transferred from any such special revenue funds to fund such mental health bed expansion, such mental health bed expansion shall not be funded pursuant to this subsection.

Sec. 90.

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, 2023, the following:

Youth services aid and assistance (629-00-1000-7020).....\$5,400,000

(b) During the fiscal year ending June 30, 2023, 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 as authorized by section 76 of chapter 81 or section 30 of chapter 97 of the 2022 Session Laws of Kansas, this or any other appropriation act of the 2023 regular session of the legislature,

expenditures shall be made by such agency from such moneys to prepare and issue a request for proposals for a subscription to a software-as-a-service product to automate the licensing of foster families and the placement of foster children in approved homes: *Provided*, That such request for proposals shall require such subscription to commence during fiscal year 2024 on or before December 31, 2023: *Provided further*, That the above agency shall select such product from the United States general services administration multiple award schedule or the national association of state procurement officials valuepoint list: *And provided further*, That the above agency shall select a product that: (1) Includes a mobile-friendly portal to provide remote access to users, a geographic component that displays foster family availability and location to facilitate children staying in or near the child's community of origin and a live, online chat support for users in English and Spanish languages; and (2) is made and supported by employees in the United States.

Sec. 91.

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, 2024, the following:

State operations (including
official hospitality) (629-00-1000-0013).....\$134,710,032

Provided, That any unencumbered balance in the state operations (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Cash assistance (629-00-1000-2010).....\$11,979,371

Provided, That any unencumbered balance in the cash assistance account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Vocational rehabilitation aid
and assistance (629-00-1000-5010).....\$4,948,301

Provided, That any unencumbered balance in the vocational rehabilitation aid and assistance account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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.

Youth services aid
and assistance (629-00-1000-7020).....\$250,530,034

Provided, That any unencumbered balance in the youth services aid and assistance account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Hope ranch program for women.....\$300,000

Provided, That on or before January 9, 2024, the hope ranch program for women shall report to the Kansas legislature on performance measures evaluating the program's effectiveness for fiscal year 2024.

Foster care licensing and placement software.....\$2,500,000

Provided, That during the fiscal year ending June 30, 2024, the above agency shall

make expenditures from the above account for the sole purpose of continuing the agency's request for proposal process for a subscription to a software-as-a-service product to automate the licensing of foster families and the placement of foster children in approved homes and to commence and fund such subscription on or before December 31, 2023.

WeKanDrive\$750,000

Provided, That expenditures shall be made from the WeKanDrive account to expand the WeKanDrive program statewide to support older youth in foster care and young adults in obtaining their driver's license in Kansas.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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
Project maintenance	
reserve fund (629-00-2214-0150).....	No limit
Other state fees fund (629-00-2220).....	No limit
Disaster relief – federal fund (629-00-3005-7344).....	No limit
Child care discretionary –	
federal fund (629-00-3028-0522).....	No limit
Title IV-B promoting safe/stable families –	
federal fund (629-00-3302).....	No limit
Low-income home energy assistance –	
federal fund (629-00-3305-0350).....	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
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
Rehabilitation services – vocational rehabilitation –	
federal fund (629-00-3315).....	No limit
Child support enforcement –	
federal fund (629-00-3316).....	No limit
Child care and development	
mandatory and matching –	
federal fund (629-00-3318-0523).....	No limit
Temporary assistance to needy families –	
federal fund (629-00-3323-0530).....	No limit
SNAP technology project for success –	
federal fund (629-00-3327-3327).....	No limit

Provided, That expenditures shall be made by the above agency for fiscal year 2024 from the temporary assistance for needy families – federal fund to the boys and girls clubs for out-of-school time support in an amount not to exceed \$780,000.

Title IV-E foster care – federal fund (629-00-3337-0419).....	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
TEFAP trade mitigation program (629-00-3409-2315).....	No limit
Medical assistance program – federal fund (629-00-3414).....	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
Child-care disaster – federal fund (629-00-3597-3597).....	No limit
ESSA preschool development grant – federal fund (629-00-3608-0525).....	No limit
Randolph sheppard FRRP – federal fund (629-00-3647-3647).....	No limit
Low income water assistance – federal fund (629-00-3653-3653).....	No limit
SNAP pandemic ebt admin-21 – federal fund (629-00-3661-0431).....	No limit

SNAP data grant –
 federal fund (629-00-3674-3674).....No limit

Adult protective services crrsa21 –
 federal fund (629-00-3680-3680).....No limit

Title IV-E kinship navigator –
 federal fund (629-00-3712-0429).....No limit

Coronavirus relief fund (629-00-3753).....No limit

Prevention services grant fund (629-00-3813-0428).....No limit

SRS enterprise fund (629-00-5105).....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

(c) During the fiscal year ending June 30, 2024, 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, 2024, from the state general fund for the Kansas department for children and families to another item of appropriation for fiscal year 2024 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, 2024, 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, 2024, 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, 2023, is hereby reappropriated for fiscal year 2024.

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, 2023, is hereby reappropriated for fiscal year 2024.

(f) On July 1, 2023, the SNAP pandemic ebt admin grant – federal fund (629-00-3661-0431) of the Kansas department for children and families is hereby redesignated as the SNAP pandemic ebt admin-21 – federal fund (629-00-3661-0431) of the Kansas department for children and families.

(g) 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 2024 as authorized by this or any other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys appropriated in fiscal year 2024 to authorize the children's cabinet to establish a nonprofit corporation organized under section 501(c)(3) of the internal revenue code of 1986: *Provided*, That the board of directors of the nonprofit corporation shall consist of the members of the children's cabinet, the executive director of the children's cabinet and other directors designated by the children's cabinet: *Provided further*, That the children's cabinet shall receive gifts, donations, grants and other money and engage in fundraising projects for the benefit of the Dolly Parton's imagination library book gifting program to develop, implement, promote and sustain reading by the children of Kansas.

Sec. 92.

KANSAS GUARDIANSHIP PROGRAM

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Kansas guardianship program (261-00-1000-0300).....\$1,403,875
Provided, That any unencumbered balance in the Kansas guardianship program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Sec. 93.

STATE LIBRARY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (434-00-1000-0300).....\$1,391,407
Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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, 2023, is hereby reappropriated for fiscal year 2024.

Grants to libraries and library systems – interlibrary loan development (434-00-1000-0420).....\$1,133,729
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, 2023, is hereby reappropriated for fiscal year 2024.

Grants to libraries and library systems – talking book services (434-00-1000-0430).....\$443,165
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, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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
Coronavirus relief fund (434-00-3753).....	No limit

Sec. 94.

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, 2023, the following:

Operating expenditures (604-00-1000-0303).....	\$50,000
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(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2023, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (604-00-8100-8108).....	\$100,000
Campus boilers and HVAC upgrades (604-00-8100-8145).....	\$119,820

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, 2024, the following:

Operating expenditures (604-00-1000-0303).....	\$6,396,917
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024:

Provided, however; That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Arts for the handicapped (604-00-1000-0502).....	\$133,847
Extended school year program.....	\$300,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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:

Local services reimbursement fund (604-00-2088-2500).....	No limit
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Provided, 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:

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.

General fees fund (604-00-2093).....	No limit
Student activity	

fees fund (604-00-2146).....	No limit
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Chapter I handicapped FDF –	
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federal fund (604-00-3039).....	No limit
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Special education state grants –

federal fund (604-00-3234).....	No limit
School breakfast program –	
federal fund (604-00-3529).....	No limit
Federal school lunch –	
federal fund (604-00-3530).....	No limit
Child and adult care food program –	
federal fund (604-00-3531).....	No limit
Safe schools – federal fund (604-00-3569).....	No limit
Deaf-blind project –	
federal fund (604-00-3583).....	No limit
Summer food service program –	
federal fund (604-00-3591).....	No limit
ESSER II federal fund (604-00-3638).....	No limit
Elementary and secondary school emergency	
relief fund III – Covid-19 federal relief	
fund – federal fund (604-00-3649).....	No limit
American rescue plan-state relief –	
federal fund (604-00-3756).....	No limit
Education improvement –	
federal fund (604-00-3898).....	No limit
Gift fund (604-00-7329-5100).....	No limit
Special bequest fund (604-00-7333).....	No limit

Sec. 96.

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, 2023, the following:

Operating expenditures (610-00-1000-0303).....\$50,000

(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2023, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (610-00-8100-8108).....\$100,000

(c) On the effective date of this act, any unencumbered balance in the Roth building repairs account (610-00-8100-8125) 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, 2024, the following:

Operating expenditures (610-00-1000-0303).....\$10,603,026

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Language assessment program.....\$386,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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:

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.

General fees fund (610-00-2094).....No limit

Student activity fees fund (610-00-2147).....No limit

Language assessment fee fund (610-00-2891).....No limit

Provided, That expenditures shall be made from the language assessment fee fund for operating expenditures to implement a fee-for-service model to fund the implementation of a language assessment program for children ages three through eight: *Provided further*; That the above agency is hereby authorized to fix, charge and collect fees from unified school districts, special education cooperatives and interlocals to fund the operations of the language assessment program authorized pursuant to K.S.A. 75-5397e, and amendments thereto: *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 language assessment fee fund: *And provided further*; That all expenditures from the language assessment fee fund shall be only for the operations of the language assessment program.

Special education state grants –

federal fund (610-00-3234).....No limit

Universal newborn screening –

federal fund (610-00-3459).....No limit

School breakfast program –

federal fund (610-00-3529).....No limit

School lunch program –

federal fund (610-00-3530).....No limit

Special education preschool grants –

federal fund (610-00-3535).....No limit

Summer food service program –

federal fund (610-00-3591).....No limit

Elementary and secondary school emergency

relief – federal fund (610-00-3638).....No limit

COVID-19 federal relief fund –

federal fund (610-00-3649).....No limit

American rescue plan – state relief –

federal fund (604-00-3756).....No limit

Special bequest fund (610-00-7321).....No limit

Gift fund (610-00-7330).....No limit

Special workshop fund (610-00-7504).....No limit

Language assessment fee fund.....No limit

Sec. 98.

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (288-00-1000-0083).....\$4,485,976

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Humanities Kansas (288-00-1000-0600).....\$50,501

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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 (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

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 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 \$100,000.

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 2024 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

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.

National endowment for the

 humanities fund (288-00-3925-3925).....No limit

(c) Notwithstanding the provisions of K.S.A. 75-2721, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2024, 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 2024, as authorized by this or other appropriation act of the 2023 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 2024 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 2024 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. 99.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (including

 official hospitality) (246-00-1000-0013).....\$39,514,462

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Master's-level
nursing capacity (246-00-1000-0100).....\$141,428
Kansas wetlands education center at
Cheyenne bottoms (246-00-1000-0200).....\$265,304

Provided, That any unencumbered balance in the Kansas wetlands education center at Cheyenne bottoms account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Kansas academy of math
and science (246-00-1000-0300).....\$759,405

Provided, That any unencumbered balance in the Kansas academy of math and science account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Student aid for financial need.....\$3,537,490

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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

Provided, That expenditures may be made from the housing system revenue fund for official hospitality.

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
American rescue plan – state fiscal relief –	
federal fund (246-00-3756).....	No limit

(c) On July 1, 2023, 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. 100.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (including	
official hospitality) (367-00-1000-0003).....	\$112,359,154
<i>Provided</i> , That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: <i>Provided further</i> , That expenditures may be made by the above agency from such account during the fiscal year ending June 30, 2024, not to exceed \$5,000,000, for biomanufacturing training and education: <i>Provided, however</i> , That all such expenditures for biomanufacturing training and education shall require a match of local nonstate or private moneys on a \$1-for-\$1 basis.	
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, 2023, is hereby

reappropriated for fiscal year 2024.

Global food systems (367-00-1000-0190).....\$5,030,579

Provided, That unencumbered balance in the global food systems account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That all moneys in the global food systems account expended for fiscal year 2024 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 2024.

Kansas state university

polytechnic campus (including official hospitality) (367-00-1000-0150).....\$7,753,914

Provided, That any unencumbered balance in the Kansas state university polytechnic campus (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Student aid for financial need.....\$3,949,980

Biomanufacturing institute.....\$5,000,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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

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
<i>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.</i>	
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 10th day of each month commencing during fiscal year 2024, 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
American rescue plan – state fiscal relief – federal fund (367-00-3756).....	No limit

Sec. 101.

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, 2024, the following:

Cooperative extension service (including official hospitality) (369-00-1000-1020).....	\$25,709,245
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Provided, That any unencumbered balance in the cooperative extension service (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: Provided further, That during the fiscal year ending June 30, 2024, expenditures shall be made by the above agency from such moneys available in such account in an amount of not less than \$5,000,000 for the KSU 105 project.

Agricultural experiment stations (including official hospitality) (369-00-1000-1030).....	\$32,950,695
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Provided, That any unencumbered balance in the agricultural experiment stations (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Wildfire suppression/state forest service (369-00-1000-1040).....	\$669,855
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Provided, That any unencumbered balance in the wildfire suppression/state forest service account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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 2024: *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

American rescue plan – state fiscal relief –

federal fund (369-00-3756).....No limit

(c) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2024, the following:
Agricultural experiment

stations (369-00-1900-1900).....\$321,663
Sec. 102.

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, 2025, the following:

Cooperative extension service (including
official hospitality) (369-00-1000-1020).....\$5,000,000

Provided, That any unencumbered balance in the cooperative extension service (including official hospitality) account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That the above agency shall prepare a written report specifying and accounting for all moneys expended from such account during fiscal year 2024 for the KSU 105 project: *Provided further*, That such report shall be submitted to the house of representatives committees on appropriations and higher education budget and the senate committee on ways and means on or before January 13, 2025.

Sec. 103.

KANSAS STATE UNIVERSITY EXTENSION SYSTEMS
AND AGRICULTURE RESEARCH PROGRAMS

(a) 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 2026 as authorized by this or any other appropriation act of the 2025 regular session of the legislature, expenditures shall be made by the above agency from such moneys to prepare a written report specifying and accounting for all moneys expended during fiscal year 2025 for the KSU 105 project: *Provided further*, That such report shall be submitted to the house of representatives committees on appropriations and higher education budget and the senate committee on ways and means on or before January 12, 2026.

Sec. 104.

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, 2024, the following:

Operating expenditures (including
official hospitality) (368-00-1000-5003).....\$11,576,417

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Operating enhancement (368-00-1000-5023).....\$5,255,674

Provided, That any unencumbered balance in the operating enhancement account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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).....\$650,000

Provided, That any unencumbered balance in the veterinary training program for rural Kansas account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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

American rescue plan – state fiscal relief – federal fund (368-00-3756).....No limit

(c) On July 1, 2023, 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. 105.

EMPORIA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (including official hospitality) (379-00-1000-0083).....\$5,543

(b) On the effective date of this act, of the \$178,074 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 140(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the reading recovery program account (379-00-1000-0100), the sum of \$3,924 is hereby lapsed.

(c) On the effective date of this act, of the \$150,283 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 140(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the nat'l board cert/future teacher academy account (379-00-1000-0200), the sum of \$1,619 is hereby lapsed.

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, 2024, the following:

Operating expenditures (including official hospitality) (379-00-1000-0083).....\$36,982,329

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Nat'l board cert/future teacher academy (379-00-1000-0200).....\$322,815

Provided, That expenditures may be made from the nat'l board cert/future teacher academy account for official hospitality.

Emporia state model investment.....\$9,000,000

SMaRT Kansas 21.....\$510,000

Cybersecurity academic programming center.....\$1,100,000

Student aid for financial need.....\$1,227,910

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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
American rescue plan – state fiscal relief –	
federal fund (379-00-3756).....	No limit
Sec. 107.	

EMPORIA STATE UNIVERSITY

(a) Any unencumbered balance in the Emporia state model investment account of

the state general fund in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided*, That the above agency shall prepare a written report specifying and accounting for all moneys expended from such account: *Provided further*; That such report shall be submitted to the house of representatives committees on appropriations and higher education budget and the senate committee on ways and means on or before January 8, 2025.

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, 2024, the following:

Operating expenditures (including official hospitality) (385-00-1000-0063).....\$39,863,382

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

School of construction (385-00-1000-0200).....\$777,182

Provided, That any unencumbered balance in the school of construction account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Polymer science program (385-00-1000-0300).....\$1,037,261

Provided, That any unencumbered balance in the polymer science program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

NIMA manufacturing prove-out facility.....\$4,000,000

Student aid for financial need.....\$1,818,970

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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

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.

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
American rescue plan – state fiscal relief –	
federal fund (385-00-3756).....	No limit

(c) During the fiscal year ending June 30, 2024, 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) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (including	
official hospitality) (682-00-1000-0023).....	\$154,334,769

Provided, That any unencumbered balance in the operating expenditures (including

official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Geological survey (682-00-1000-0170).....\$8,872,417

Provided, That any unencumbered balance in the geological survey account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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 2024, expenditures shall be made by the above agency from the geological survey account of the state general fund for fiscal year 2024 for: (1) Seismic surveys in an amount not less than \$100,000; (2) critical program restoration including operating costs to fund six full-time positions, two scientists and one data technician in the water resources program, who will operate out of field offices in southwest Kansas, two scientists in the energy program and one software developer in the digital technology program, in an amount not less than \$1,100,000; and (3) critical staff retention in an amount of not less than \$800,000.

Umbilical cord

matrix project (682-00-1000-0370).....\$147,719

Provided, That any unencumbered balance in the umbilical cord matrix project account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Student aid for financial need.....\$4,099,160

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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 rescr 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
American rescue plan – state fiscal relief – federal fund (682-00-3756).....	No limit

University of Kansas and Wichita state university

health collaboration fund.....No limit

(c) On July 1, 2023, 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, 2024, for the water plan project or projects specified, the following:

Geological survey (682-00-1800-1810).....\$26,841

Provided, That any unencumbered balance in excess of \$100 as of June 30, 2023, in the geological survey account is hereby reappropriated for fiscal year 2024.

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, 2025, the following:

Geological survey (682-00-1000-0170).....\$850,000

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 2025, expenditures shall be made by the above agency from the geological survey account of the state general fund for fiscal year 2025 for critical program restoration including operating costs funding five full-time positions and two part-time positions, two scientists, a part-time scientist and two data technicians in the water resources program, one of whom will operate out of field offices in southwest Kansas, one part-time scientists in the energy program and one software developer in the digital technology program, in an amount not less than \$850,000.

Sec. 111.

UNIVERSITY OF KANSAS MEDICAL CENTER

(a) On the effective date of this act, the \$30,000 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 101(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the rural health bridging psychiatry account (683-00-1000-1015) 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, 2024, the following:

Operating expenditures (including official hospitality) (683-00-1000-0503).....\$114,583,832

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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, 2023, is hereby reappropriated for fiscal year 2024.

Midwest stem cell therapy center (683-00-1000-0800).....\$766,320

Provided, That any unencumbered balance in the midwest stem cell therapy center account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

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, 2023, is hereby reappropriated for fiscal year 2024.

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, 2023, is hereby reappropriated for fiscal year 2024.

Student aid for financial need.....\$1,120,150

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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).....No limit

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
<i>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.</i>	
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
Cancer research and public information trust fund (683-00-2925-2925).....	No limit
American rescue plan – state fiscal relief – federal fund (683-00-3756).....	No limit

(c) On July 1, 2023, 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, 2024, 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, 2024, the following:

Operating expenditures (including official hospitality) (715-00-1000-0003).....	\$75,748,384
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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, 2023, is hereby reappropriated for fiscal year 2024.

Aviation research (715-00-1000-0015).....	\$10,000,000
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Provided, That any unencumbered balance in the aviation research account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That all moneys in the aviation research account expended for fiscal year 2024 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 2024.

Technology transfer facility (715-00-1000-0005).....	\$2,000,000
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Provided, That any unencumbered balance in the technology transfer account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Aviation infrastructure (715-00-1000-0010).....	\$5,200,000
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Provided, That any unencumbered balance in the aviation infrastructure account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That during the fiscal year ending June 30, 2024, 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 2024 by Wichita

state university by this or other appropriation act of the 2023 regular session of the legislature, the moneys appropriated in the aviation infrastructure account for fiscal year 2024 may only be expended for training and equipment expenditures of the national center for aviation training.

Student aid for financial need.....\$4,246,340

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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
 American rescue plan – state fiscal relief – federal fund (715-00-3756).....No limit
 Wichita state university and university of Kansas health collaboration fund.....No limit
 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, 2023, the following:

Tuition waivers (561-00-1000-1650).....\$150,000

Provided, That any unencumbered balance in the tuition waivers account in excess of \$100 as of June 30, 2022, is hereby reappropriated for fiscal year 2023: *Provided further*, That notwithstanding the provisions of K.S.A. 75-4364(d), and amendments thereto, the state board of regents may reimburse a Kansas educational institution as defined in K.S.A. 75-4364, and amendments thereto, for reimbursement of claims up to the amount of appropriation available for such waivers in fiscal year 2023.

(b) On the effective date of this act, during the fiscal year ending June 30, 2023, in addition to the provisions of section 160(a) of chapter 81 of the 2022 Session Laws of Kansas, the state board of regents, with the approval of the director of the budget, is hereby authorized to transfer moneys from the demolition of buildings account of the state general fund to the following demolition of buildings accounts of the state general fund, which are hereby created: The university of Kansas demolition of buildings; the university of Kansas medical center demolition of buildings; Kansas state university demolition of buildings; Kansas state university polytechnic campus demolition of buildings; Kansas state university veterinary medical center demolition of buildings; Kansas state university extension systems and agriculture research programs demolition of buildings; Wichita state university demolition of buildings; Emporia state university demolition of buildings; Pittsburg state demolition of buildings; and Fort Hays state university demolition of buildings: *Provided*, That all moneys transferred to such accounts are appropriated for the fiscal year ending June 30, 2023, and shall be expended by such institutions for demolition projects approved by the state board of regents: *And provided further*, That 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 transfer to the director of the budget and to the director of legislative research.

(c) On the effective date of this act, the provisions of section 110(a) of chapter 81 of the 2022 Session Laws of Kansas are hereby declared to be null and void and shall have no force and effect.

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, 2024, the following:

Operating expenditures (including official hospitality) (561-00-1000-0103).....\$5,009,794

Provided, That any unencumbered balance in the operating expenditures (including official hospitality) account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That, during fiscal year 2024,

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 2024 by the state board of regents as authorized by this or other appropriation act of the 2023 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 2024 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 2024, 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 2024 by the state board of regents as authorized by this or other appropriation act of the 2023 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 2024 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: *And provided further*; That, during fiscal year 2024, 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 2024 by the state board of regents as authorized by this or other appropriation act of the 2023 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 2024 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).....	\$115,000
State scholarship program (561-00-1000-4300).....	\$3,035,919

Provided, That any unencumbered balance in the state scholarship program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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).....\$35,258,338

Provided, That any unencumbered balance in the comprehensive grant program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That all of such expenditures from such account shall require a match of local nonstate or private moneys on a \$1-for-\$1 basis: *Provided, however*, That all expenditures from such account shall be made to provide that all moneys shall be distributed in the same proportionate amount as such moneys were distributed in 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, 2023, is hereby reappropriated for fiscal year 2024.

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, 2023, is hereby reappropriated for fiscal year 2024: *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, 2023, is hereby reappropriated for fiscal year 2024.

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, 2023, is hereby reappropriated for fiscal year 2024: *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).....\$3,094,046

Provided, That any unencumbered balance in the teachers scholarship program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

National guard educational assistance (561-00-1000-1300).....\$5,400,000

Provided, That any unencumbered balance in the national guard educational assistance account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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, 2023, is hereby reappropriated for fiscal year 2024.

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, 2023, is hereby reappropriated for fiscal year 2024.

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, 2023, is hereby reappropriated for fiscal year 2024.

Municipal university

operating grant (561-00-1000-1010).....\$14,000,000

Adult basic education (561-00-1000-0900).....\$1,457,031

Postsecondary tiered technical education

state aid (561-00-1000-0760).....\$66,064,478

Provided, That, notwithstanding the provisions of K.S.A. 71-1801 through 71-1810, and amendments thereto, or any other statute, expenditures shall be made by the above agency from such account to the following institutions in the following amounts: Allen community college, \$915,928; Barton community college, \$3,140,667; Butler community college, \$4,492,663; Cloud county community college, \$1,217,936; Coffeyville community college, \$1,044,337; Colby community college, \$1,364,880; Cowley community college, \$2,043,860; Dodge City community college, \$955,822; Flint Hills technical college, \$1,821,433; Fort Scott community college, \$1,423,883; Garden City community college, \$1,134,582; Highland community college, \$1,549,554; Hutchinson community college, \$5,640,548; Independence community college, \$399,192; Johnson County community college, \$7,940,462; Kansas City, Kansas community college, \$4,408,372; Labette community college, \$1,056,481; Manhattan Area technical college, \$2,028,420; Neosho county community college, \$1,468,764; north central Kansas technical college, \$2,891,287; northwest Kansas technical college, \$2,014,074; Pratt community college, \$1,141,410; Salina area technical college, \$1,675,677; Seward county community college, \$1,108,653; institute of technology at Washburn university, \$3,718,573; and Wichita state university campus of applied sciences and technology, \$9,467,020.

Non-tiered course credit

hour grant (561-00-1000-0550).....\$95,407,915

Provided, That expenditures shall be made by the above agency from such account to the following institutions in the following amounts: Allen community college, \$4,006,236; Barton community college, \$8,049,846; Butler community college, \$14,515,023; Cloud county community college, \$3,013,747; Coffeyville community college, \$1,628,863; Colby community college, \$1,734,353; Cowley community college, \$4,185,440; Dodge City community college, \$1,609,972; Flint Hills technical

college, \$799,475; Fort Scott community college, \$1,967,561; Garden City community college, \$2,030,083; Highland community college, \$3,958,591; Hutchinson community college, \$6,615,906; Independence community college, \$1,147,118; Johnson County community college, \$17,741,594; Kansas City, Kansas community college, \$5,721,958; Labette community college, \$2,113,258; Manhattan Area technical college, \$765,308; Neosho county community college, \$2,147,269; north central Kansas technical college, \$902,820; northwest Kansas technical college, \$1,048,581; Pratt community college, \$1,427,408; Salina area technical college, \$802,707; Seward county community college, \$1,647,518; institute of technology at Washburn university, \$429,410; and Wichita state university campus of applied sciences and technology, \$5,397,870.

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).....\$4,871,585

Provided, That all such moneys in the career technical education capital outlay aid account shall be distributed equally among the technical colleges and any community college that offers one or more technical programs as defined in K.S.A. 71-1802, and amendments thereto: *Provided further*; That all expenditures from such account shall require a local match of nonstate moneys or donated equipment on a \$1-for-\$1 basis from either a nonstate or private donation.

Tuition waivers (561-00-1000-1650).....\$500,000

Provided, That any unencumbered balance in the tuition waivers account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; That notwithstanding the provisions of K.S.A. 75-4364, and amendments thereto, or any other statute, the state board of regents may reimburse a Kansas educational institution as defined in K.S.A. 75-4364, and amendments thereto, for reimbursement claims of up to the amount of the appropriation available for such waivers in fiscal year 2024.

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, 2023, is hereby reappropriated for fiscal year 2024: *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, 2023, is hereby reappropriated for fiscal year 2024: *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).....\$39,850,000

Provided, That, any unencumbered balance in the tuition for technical education account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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 2024, expenditures shall be made by the above agency from the tuition for technical education account of the state general fund for fiscal year 2024 for the payment of technical education tuition for adult students who are enrolled in technical education classes while obtaining 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: *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, 2024, not later than 60 days following the class start date, expenditures shall be made by the above agency from such account for tuition reimbursement: *And provided further*; That upon determining the amount of reimbursement for each eligible college, such amount shall be increased by 5% to assist in covering any rising personnel costs.

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, 2023, is hereby reappropriated for fiscal year 2024.

Kansas promise scholarship (561-00-1000-0960).....\$10,000,000

Provided, That any unencumbered balance in the Kansas promise scholarship account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Computer science preservice

educator grant (561-00-1000-4700).....\$1,000,000

Provided, That any unencumbered balance in the computer science preservice educator grant account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Community colleges' and technical colleges'

cybersecurity and IT infrastructure.....\$6,500,000

Provided, That all expenditures from the community colleges' and technical colleges' cybersecurity and IT infrastructure account shall be made to provide to each community college, technical college and Washburn institute of technology \$250,000: *Provided further*; That for the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the above agency, 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 information technology and cybersecurity upgrades and improvements, 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: *And 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 2024 to be used for such information technology and cybersecurity upgrades and improvements, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and 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 of up to \$6,500,000 as available from such funds to the special revenue fund of the above agency and as designated by the chief executive officer of the state board of regents for the purpose of funding such information technology and cybersecurity upgrades and improvements: *And provided further*, That on the effective date of such transfer, of the \$6,500,000 appropriated for the above agency for the fiscal year ending June 30, 2024, by this section from the state general fund in the community colleges' and technical colleges' cybersecurity and IT infrastructure account, the aggregate amount transferred 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.

Washburn ensuring pathways to student success.....\$437,700
 Washburn university student aid for financial need.....\$1,784,260
 Two year college apprenticeship act\$14,300,000

Provided, That all expenditures from the two year college apprenticeship act account shall be distributed to the community colleges and technical colleges based on the number of full-time students enrolled at each such college during school year 2022-2023.

Community college capital outlay aid.....\$5,000,000

Provided, That all such moneys in the community college capital outlay aid account shall be distributed to any community college that does not offer technical programs as defined in K.S.A. 71-1802, and amendments thereto, based on the number of full-time students enrolled at each such college during school year 2022-2023.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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
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
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
<i>Provided</i> , 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: <i>Provided further</i> , 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: <i>And provided further</i> , 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: <i>And provided further</i> , 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
Kansas national guard	
educational assistance program	

repayment fund (561-00-7228-7000).....	No limit
Grants fund (561-00-2525-2500).....	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
USAC E-rate program federal fund (561-00-3920-3920).....	No limit
Postsecondary education performance-based incentives fund (561-00-2777-2777).....	No limit
Private donations, gifts, grants bequest fund (561-00-7262-7700).....	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
American rescue plan – state fiscal relief – federal fund (561-00-3756).....	No limit
Transportation research fund.....	No limit

Provided, That expenditures shall be made by the above agency from the transportation research fund to make distributions to Kansas state university, the university of Kansas and Wichita state university for transportation research projects at such institutions.

(c) During the fiscal year ending June 30, 2024, 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, 2024, to another item of appropriation in an account of the state general fund for fiscal year 2024. 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" means any account of the state general fund of the state board of regents, the university of Kansas, the university of Kansas medical center, Kansas state university Kansas state university polytechnic campus, Kansas state university veterinary medical center, Kansas state university extension systems and agriculture research programs, Wichita state university, Emporia state university, Pittsburg state university and Fort Hays state university.

(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 2024 for such state educational institution as authorized by this or other appropriation act of the 2023 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 2024 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 2024: *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 at the beginning of the 2024 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, 2024, 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, 2023, in the SEDIF – career technical education capital outlay aid account is hereby reappropriated for fiscal year 2024: *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, 2023, in the SEDIF – technology innovation and internship program account is hereby reappropriated for fiscal year 2024.

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.

(f) During the fiscal year ending June 30, 2024, 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 2024 as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2024 to implement the legislative intent for fiscal year 2025, to fully implement the funding formula for the community colleges and technical colleges concerning the postsecondary tiered technical education state aid and non-tiered course credit hour grants.

(g) (1) In addition to the other purposes for which expenditures may be made by any postsecondary educational institution from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 for such postsecondary educational institution as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures may be made by such postsecondary educational institution from such moneys for fiscal year 2024 for the purpose of deeming any person who is enrolled as a member of the Kickapoo Tribe of Indians of the Kickapoo Reservation in Kansas, the Prairie Band Potawatomi Nation, the Iowa Tribe of Kansas, the Sac and Fox Nation of Missouri in Kansas and Nebraska or of indigenous nations with historical connections to Kansas territories named in this subsection, regardless of the residence of such person prior to admission at a postsecondary educational institution, as a resident of this state for the purpose of tuition and fees for attendance at any postsecondary educational institution.

(2) As used in this subsection:

(A) "Postsecondary educational institution" means the same as defined in K.S.A. 74-3201b, and amendments thereto; and

(B) "indigenous nations with historical connections to Kansas territories" means the following federally recognized tribes: Apache Tribe of Oklahoma, the Cheyenne and Arapaho Tribes of Oklahoma, the Cherokee Nation, the Cheyenne and Arapaho Tribes of Oklahoma, the Chippewa, the Comanche Nation of Oklahoma, the Delaware Tribe of Indians, the Kaw Nation of Oklahoma, the Kiowa Indian Tribe of Oklahoma, the Miami Tribe of Oklahoma, the Oneida Nation, the Oneida Indian Nation, the Osage Nation, the Otoe-Missouria Tribe of Indians of Oklahoma, the Ottawa Tribe of Oklahoma, the Little River Band of Ottawa Indians, the Grand Traverse Bay Band of Ottawa and Chippewa Indians, the Pokagon Band of Potawatomi Indians, the Little Traverse Bay Band of Odawa Indians, the Bay Mills Indian Community, the Sault Ste. Marie Tribe of Chippewa Indians, the Michigan Bands of the Ottawa/Odawa, the Pawnee Nation of Oklahoma, the Peoria Tribe of Indians of Oklahoma, the Quapaw Tribe of Indians, the Shawnee Tribe, the Wichita and Affiliated Tribes (Wichita, Keechi, Waco and Tawakonie) of Oklahoma, and the Wyandotte Nation.

(h) (1) During the fiscal years ending June 30, 2024, and June 30, 2025, notwithstanding the provisions of any statute to the contrary, no expenditures shall be

made by any postsecondary educational institution from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal years 2024 and 2025 as authorized by this or any other appropriation act of the 2023 or 2024 regular session of the legislature, to: (A) Compel, require, induce or solicit, encourage or coerce any applicant, employee, student or contractor to: (i) Endorse or oppose any ideology, including the ideology of diversity, equity or inclusion; or (ii) provide a statement articulating their experience, commitment to, or expertise in diversity, equity or inclusion, unless expressly permitted to do so pursuant to paragraph (2); or (B) provide preferential consideration to any applicant, employee, student or contractor on the basis of such person's provision of an unsolicited statement of a commitment to an ideology, including the ideology of diversity, equity or inclusion, unless expressly permitted to do so pursuant to paragraph (2): *Provided, however*, That nothing in this subsection shall be construed to authorize any such institution to limit or restrict the academic freedom of any faculty member or to prevent such faculty member from teaching, researching or writing: *Provided*, That on or before June 30, 2024, and June 30, 2025, each postsecondary educational institution's office of general counsel shall transmit a written report on such institution's compliance with this subsection to the director of legislative research and the attorney general: *Provided, however*, That the provisions of this subsection shall not apply to equal opportunity or equal employment opportunity materials designed to inform individuals about the prohibition on discrimination based on protected status under state and federal law: *Provided further*, That expenditures may be made by such institution's to require a student, employee or contractor to comply with federal or state law, including anti-discrimination laws, and take action against a student, employee or contractor for violations of federal or state law.

(2) Nothing in this subsection shall be construed to prohibit such institution from considering, in good faith, an applicant's, employee's, student's or contractor's scholarship, teaching or subject matter expertise in their respective field.

(3) As used in this subsection, "postsecondary educational institution" means the same as defined in K.S.A. 74-3201b, and amendments thereto.

(i) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$9,000,000 from the transportation technology development fund (276-00-2835-2835) of the department of transportation to the transportation research fund of the state board of regents.

(j) For the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the above agency, 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 information technology and cybersecurity upgrades and improvements at state universities, 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 2024 to be used for such information technology and cybersecurity projects, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and

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 of up to \$5,000,000 as available from such funds to the special revenue fund of the above agency designated by the chief executive officer of the above agency for the purpose of funding such projects: *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 such funds shall be expended for such projects: *Provided, however*; That if moneys are not available to be transferred from any such special revenue funds to fund such projects, such projects shall not be funded pursuant to this subsection.

(k) For the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the above agency, 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 information technology and cybersecurity upgrades and improvements at Washburn university, 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 2024 to be used for such information technology and cybersecurity projects, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and 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 of up to \$450,000 as available from such funds to the special revenue fund of the above agency designated by the chief executive officer of the above agency for the purpose of funding such projects: *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 such funds shall be expended for such projects: *Provided, however*; That if moneys are not available to be transferred from any such special revenue funds to fund such projects, such projects shall not be funded pursuant to this subsection.

Sec. 116.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2025, the following:

Comprehensive grant program (561-00-1000-4500).....\$35,258,338

Provided, That any unencumbered balance in the comprehensive grant program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*; That all of such expenditures from such account shall require a match of local nonstate or private moneys on a \$1-for-\$1 basis: *Provided, however*; That all expenditures from such account shall be made to provide that all moneys shall be distributed in the same proportionate amount as such moneys were distributed in 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, 2024, is hereby reappropriated for fiscal year 2025.

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, 2024, is hereby reappropriated for fiscal year 2025: *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, 2024, is hereby reappropriated for fiscal year 2025.

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, 2024, is hereby reappropriated for fiscal year 2025: *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).....\$3,094,046

Provided, That any unencumbered balance in the teachers scholarship program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

National guard educational assistance (561-00-1000-1300).....\$5,400,000

Provided, That any unencumbered balance in the national guard educational assistance account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *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, 2024, is hereby reappropriated for fiscal year 2025.

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, 2024, is hereby reappropriated for fiscal year 2025.

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, 2024, is hereby reappropriated for fiscal year 2025.

Tuition waivers (561-00-1000-1650).....\$500,000

Provided, That any unencumbered balance in the tuition waivers account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided further*, That notwithstanding the provisions of K.S.A. 75-4364, and amendments thereto, or any other statute, the state board of regents may reimburse a Kansas educational institution as defined in K.S.A. 75-4364, and amendments thereto, for reimbursement claims of up to the amount of the appropriation available for such waivers in fiscal year 2025.

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, 2024, is hereby reappropriated for fiscal year 2025: *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.

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, 2024, is hereby reappropriated for fiscal year 2025.

Kansas promise scholarship (561-00-1000-0960).....\$10,000,000

Provided, That any unencumbered balance in the Kansas promise scholarship program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

Computer science preservice

educator grant (561-00-1000-4700).....\$1,000,000

Provided, That any unencumbered balance in the computer science preservice educator grant account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025.

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, 2023, the following:

Lansing correctional facility –

facilities operations (400-00-1000-0303).....\$746,226

Winfield correctional facility –

facilities operations (712-00-1000-0303).....\$504,498

(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2023, for the capital improvement project or projects specified, the following:

Facility study KJCC (521-00-8100-8037).....\$60,000

(c) Notwithstanding the provisions of section 140 of chapter 81 of the 2022 Session Laws of Kansas, in addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund to the community corrections account (521-00-1000-0220) for fiscal year 2023 as authorized by section 112 and section 140 of chapter 81 and section 37 of chapter 97 of the 2022 Session Laws of Kansas, this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys in fiscal year 2023 to authorize any county grant recipient to use such funding for the hiring of additional employees as may be necessary for such county's community

corrections program: *Provided*, That if any county grant recipient was withheld funds by the above agency in fiscal year 2023 because such grant recipient was planning to use such funds to hire additional employees, the above agency shall expend such withheld funds to such grant recipient for such purpose.

Sec. 118.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (521-00-1000-0603).....\$46,813,194

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$2,000.

Community corrections (521-00-1000-0220).....\$26,098,494

Provided, That any unencumbered balance in the community corrections account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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 2024 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, 2023, is hereby reappropriated for fiscal year 2024: *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).....\$12,194,073

Provided, That any unencumbered balance in the treatment and programs – offender programs account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Treatment and programs – medical

and mental (521-00-1000-0152).....\$81,858,526

Provided, That any unencumbered balance in the treatment and programs – medical and mental account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024

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, 2023, is hereby reappropriated for fiscal year 2024.

Treatment and programs –

KUMC contract (521-00-1000-0154).....\$2,120,373

Provided, That any unencumbered balance in the treatment and programs – KUMC

contract account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Operating expenditures –

juvenile services (521-00-1000-0103).....\$1,638,798

Provided, That any unencumbered balance in the operating expenditures – juvenile services account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Evidence-based programs (521-00-1000-0050).....\$12,524,942

Provided, That any unencumbered balance in the evidence-based programs account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024:

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: *And provided further*; That, notwithstanding the provisions of K.S.A. 75-52,164, and amendments thereto, or any other statute, expenditures shall be made by the above agency from the evidence-based programs account for the jobs for America's graduates-Kansas programs: *Provided, however*; That the expenditures for such programs shall not exceed \$3,500,000: *And provided further*; That expenditures shall be made by the above agency from such account to require jobs for American's graduates-Kansas to submit a report to the Kansas juvenile justice oversight committee established by K.S.A. 75-52,161, and amendments thereto, on or after June 15, 2024, but on or before June 30, 2024: *And provided further*; That such report shall include the number of youths served and performance outcomes.

Prevention and graduated sanctions

community grants (521-00-1000-0221).....\$23,101,389

Provided, That any unencumbered balance in the prevention and graduated sanctions community grants account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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, 2023, is hereby reappropriated for fiscal year 2024.

Debt service payments – data

systems replacement (521-00-1000-0702).....\$3,346,286

Topeka correctional facility –

facilities operations (660-00-1000-0303).....\$21,430,596

Provided, That any unencumbered balance in the Topeka correctional facility – facilities operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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).....\$44,921,997

Provided, That any unencumbered balance in the Hutchinson correctional facility – facilities operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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).....\$41,535,294

Provided, That any unencumbered balance in the Lansing correctional facility – facilities operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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).....\$20,023,071

Provided, That any unencumbered balance in the Ellsworth correctional facility – facilities operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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).....\$23,113,646

Provided, That any unencumbered balance in the Winfield correctional facility – facilities operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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).....\$21,614,285

Provided, That any unencumbered balance in the Norton correctional facility – facilities operations account in excess of \$100 as of June 30, 2023 is hereby reappropriated for fiscal year 2024: *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).....\$39,156,165

Provided, That any unencumbered balance in the El Dorado correctional facility – facilities operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024 *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).....\$15,899,213

Provided, That any unencumbered balance in the Larned correctional mental health facility – facilities operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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).....\$23,817,040

Provided, That any unencumbered balance in the Kansas juvenile correctional complex –facilities operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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 operations account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Juvenile crime

community prevention (521-00-1000-0051).....\$1,500,000

Provided, That, expenditures shall be made by such agency from such account during fiscal year 2024 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.

Equipment replacements (521-00-1000).....\$756,213

Provided, That any unencumbered balance in the equipment replacements account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Vehicle replacements (521-00-1000).....\$899,293

Provided, That any unencumbered balance in the vehicle replacements account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Pathways to purpose pilot program.....\$1,400,000

Provided, That expenditures shall be made by the above agency from the pathways to purpose pilot program account during fiscal year 2024 to implement a pilot program on or before October 1, 2023, to gauge the effectiveness of prescription digital therapeutics authorized by the federal food and drug administration for the treatment of substance use disorder and opioid use disorder on incarcerated adult offenders in the custody of the secretary of corrections: *Provided further*; That for the purposes of such program, the above agency shall determine the following: (1) Number of sites at which the pilot program will be conducted including regions that are geographically diverse; (2) eligibility requirements for pilot program participants; and (3) specific types of prescription digital therapeutics that will be prescribed and evaluated under the pilot program as authorized by the federal food and drug administration for the treatment of substance use disorder and opioid use disorder: *And provided further*; That as used in this subsection, "prescription digital therapeutics authorized by the federal food and drug administration" or "prescription digital therapeutics" means a product, device, internet application or other technology that is intended to prevent, manage or treat a medical disease, condition or disorder, is approved, cleared or classified by the food and drug administration under 21 U.S.C. 360(k), 21 U.S.C. 360c(f) or 21 U.S.C. 360e for such intended use, utilizes both cognitive behavior therapy and contingency management to treat substance use disorder and opioid use disorder, and requires a prescription under 21 C.F.R. § 801.109.

(b) There is appropriated for the above agency from the following special revenue

fund or funds for the fiscal year ending June 30, 2024, 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
Title VI-B special education – federal fund (521-00-3234).....	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
Federal asset forfeiture – federal fund (521-00-3063-3713).....	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
Workforce investment act – federal fund (521-00-3237-3237).....	No limit
USMS reimbursement – federal fund (521-00-3562-3562).....	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
<i>Provided</i> , 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
<i>Provided</i> , 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: <i>Provided further</i> , That the secretary of corrections is hereby authorized to fix, charge and collect fees for such programs: <i>And provided further</i> , 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: <i>And provided further</i> , 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
<i>Provided</i> , 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: <i>Provided, however</i> , That expenditures from the juvenile alternatives to detention fund for per diem payments to detention centers shall not exceed \$100,000: <i>And provided further</i> , That the department of corrections is hereby authorized and directed to make expenditures from the juvenile alternatives to detention fund for fiscal year 2024 for purchase of services: <i>And provided further</i> , 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 prevention 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 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
ICJR – federal fund.....	No limit
Second chance act reentry initiative – federal fund (521-00-3985-3901).....	No limit
Coronavirus relief fund – federal fund (521-00-3756).....	No limit
Prison rape elimination act (PREA) justice assistance grant – federal fund (521-00-3758).....	No limit
Violence against women – federal fund (521-00-3082).....	No limit
Distance learning and telemedicine – federal fund (521-00-3025).....	No limit
Elementary & secondary schools emergency relief –	

federal fund (521-00-3638).....No limit
Economic adjustment assistance –
federal fund (521-00-3415).....No limit
Detection & mitigation of COVID-19
in confinement facilities –
federal fund (521-00-3649).....No limit
JRI technical assistance & training – federal fund.....No limit

(c) During the fiscal year ending June 30, 2024, 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, 2024, 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 2024 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 2024 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 2024 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, 2023, a detailed accounting of all such payments made from the correctional industries fund during fiscal year 2023.

(f) During the fiscal year ending June 30, 2024, 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, 2024, 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 2024, 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.

(i) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$70,911 from the correctional industries fund (522-00-6126-7300) of the department of corrections to the El Dorado correctional facility – general fees fund (195-00-2252-2000) of the department of corrections.

(j) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$57,084 from the correctional industries fund (522-00-6126-7300) of the department of corrections to the Lansing correctional facility – general fees fund (400-00-2040-2040) of the department of corrections.

(k) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$122,969 from the correctional industries fund (522-00-6126-7300) of the department of corrections to the Norton correctional facility – general fees fund (581-00-2238-2000) of the department of corrections.

(l) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$91,313 from the correctional industries fund (522-00-6126-7300) of the department of corrections to the Topeka correctional facility – general fees fund (660-00-2090-2090) of the department of corrections.

Sec. 119.

DEPARTMENT OF CORRECTIONS

(a) Any unencumbered balance in the pathways to purpose pilot program account of the state general fund for the above agency in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided*, That expenditures shall be made by the above agency from the pathways to purpose pilot program account during fiscal year 2025 to continue such pilot program subject to the provisions in section 118(a).

Sec. 120.

DEPARTMENT OF CORRECTIONS

(a) Any unencumbered balance in the pathways to purpose pilot program account of the state general fund for the above agency in excess of \$100 as of June 30, 2025, is hereby reappropriated for fiscal year 2026: *Provided*, That expenditures shall be made by the above agency from the pathways to purpose pilot program account during fiscal year 2026 to continue such pilot program subject to the provisions in section 118(a) through December 1, 2025: *Provided further*, That the above agency shall submit a report to the Kansas legislature on or before June 30, 2026, on the impact of such pilot program: *And provided further*, That such report shall include, but not be limited to, the following: (1) The number and location of pilot program sites; (2) the number of pilot program participants selected to participate at each site and a description of such participant's substance use disorder and individual opioid use disorder treatment plans prior to and upon entering such pilot program, ensuring that such participants are not individually identified; (3) identification of the specific prescription digital therapeutics prescribed to treat participants and an evaluation of such therapeutics effectiveness, as measured by the successful completion of the participants' individual treatment goals; (4) an explanation of whether and how the prescription digital therapeutics prescribed to

participants improved such participant's access to treatment; (5) a review of participant satisfaction with the prescription digital therapeutics prescribed for such participant's treatment; (6) the impact of the pilot program on issues related to health outcomes and the hospitalization, if any, of participants, as compared to the participants' population at large; (7) the successes and challenges of the pilot program; (8) any recommendations for future coverage of prescription digital therapeutics by state-funded healthcare programs, along with a cost-benefit analysis for such coverage; and (9) any other information the above agency deems relevant in examining the effectiveness of use of the prescription digital therapeutics.

Sec. 121.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Disaster relief (034-00-1000-0200).....\$1,600,000

Sec. 122.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (034-00-1000-0053).....\$6,066,716

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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).....\$3,400,000

Provided, That any unencumbered balance in the disaster relief account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

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, 2023, is hereby reappropriated for fiscal year 2024: *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.

Office of emergency communication (034-00-1000-0800).....\$297,000

Provided, That any unencumbered balance in the office of emergency communication account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Any unencumbered balance in excess of \$100 as of June 30, 2023, each of the following accounts is hereby reappropriated for fiscal year 2024: Force protection (034-00-1000-0500); and calibrators decommission and replacement (034-00-1000-0110).

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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
<i>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 2024 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.</i>	
Military fees fund – federal (034-00-2152).....	No limit
<i>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.</i>	
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
<i>Provided</i> , 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: <i>Provided further</i> ; 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: <i>And provided further</i> ; 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
Great plains joint regional training center fee fund (034-00-2688-2688).....	No limit
<i>Provided</i> , 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: <i>Provided further</i> ; 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: <i>And provided further</i> ; 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: <i>And provided further</i> ; 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
- Military honors funeral fund (034-00-2789-2789).....No limit

Provided, That the adjutant general is hereby authorized to accept gifts and donations of money during fiscal year 2024 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
- 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 2023 and from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2023 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 2024, 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 2024 made by this or other appropriation act of the 2023 regular session of the legislature.

(d) During the fiscal year ending June 30, 2024, the adjutant general, with the approval of the director of the budget, may transfer any part of any item of appropriation for fiscal year 2024, from the state general fund for the adjutant general to another item of appropriation for fiscal year 2024 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.

(e) On July 1, 2023, the director of accounts and reports shall transfer all moneys in the national guard museum assistance fund (034-00-8306-8300) of the adjutant general to the armories and units general fees fund (034-00-2171-2010) of the adjutant general.

On July 1, 2023, all liabilities of national guard museum assistance fund are hereby transferred to and imposed on the armories and units general fees fund, and the national guard museum assistance fund is hereby abolished.

Sec. 123.

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, 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, purchases of nationally recognized adopted codes for resale and federally reimbursed overtime, shall not exceed the following:

American rescue plan – state fiscal relief –

federal fund (234-00-3756).....No limit

(b) During the fiscal year ending June 30, 2023, notwithstanding the provisions of any other statute, the state fire marshal is hereby authorized to transfer moneys during fiscal year 2023 from the elevator safety fee fund (234-00-2854-2854) to the fire marshal fee fund (234-00-2330-2000) to be expended during fiscal year 2023 by the state fire marshal to administer the provisions of the elevator safety act, K.S.A. 2022 Supp. 44-1801 through 44-1820, and amendments thereto.

Sec. 124.

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, 2024, 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).....\$7,056,575

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, 2024, 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 2024 by the above agency by this or other appropriation act of the 2023 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 2024 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 2024 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
Elevator safety fee fund (234-00-2854-2854).....	No limit

(b) During the fiscal year ending June 30, 2024, 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, 2024, shall not exceed \$500,000.

(c) During the fiscal year ending June 30, 2024, 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 2024, 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 2024 are insufficient to fund the budgeted expenditures and transfers from the fire marshal fee fund for fiscal year 2024 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 2024 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, 2024, 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 2024, 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 2024 are insufficient to meet in full the estimated expenditures for fiscal year 2024 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 2024: *Provided*, That the aggregate amount of such transfers during fiscal year 2024 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 2024, 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, 2024, 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) During the fiscal year ending June 30, 2024, notwithstanding the provisions of any other statute, the state fire marshal is hereby authorized to transfer moneys during fiscal year 2024 from the elevator safety fee fund (234-00-2854-2854) to the fire marshal fee fund (234-00- 2330-2000) to be expended during fiscal year 2024 by the state fire marshal to administer the provisions of the elevator safety act, K.S.A. 2022 Supp. 44-1801 through 44-1820, and amendments thereto.

Sec. 125.

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, 2024, 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, who has 10 years or more of service, 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, 2024, expenditures may be made from the Kansas highway patrol state forfeiture fund for salaries and wages, and associated fringe benefits of non-supervisory personnel.
- Drug tax stamp enforcement fund (280-00-2825-2825).....No limit
- 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

State and local cybersecurity grant program fund.....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).....\$63,406,017

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.

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: *And provided further*, That expenditures shall be made from the executive aircraft fund by the above agency in an amount not to exceed \$1,500,000 for the maintenance and operations of any aircraft of the above agency.

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 (280-00-7280).....No limit

DUI – IID designation fund.....No limit

(b) On or before the 10th of each month during the fiscal year ending June 30, 2024, 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, 2023, and January 1, 2024, 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 \$1,000,000 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: *Provided, however*; that such transfers shall not result in an ending balance of less than \$2,800,000 in the motor carrier license fees fund of the state corporation commission during the fiscal year ending June 30, 2024.

(d) Except as provided further, on July 1, 2023, October 1, 2023, January 1, 2024, and April 1, 2024, or as soon thereafter each such date as moneys are available, the director of accounts and reports shall transfer \$15,851,504.25 from the state highway fund (276-00-4100-4100) 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 2024 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 2024 for support and maintenance of the Kansas highway patrol.

(e) On July 1, 2023, 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 (276-00-4100-4100) 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, 2023, 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 (276-00-4100-4100) 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, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$8,200,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the aircraft fund – on budget (280-00-2368-2360) of the Kansas highway patrol: *Provided*, That expenditures from the above transfer shall be made by the above agency to purchase and equip a new helicopter: *Provided however*; That such acquisition shall not exceed \$6,900,000: *Provided further*; That upon delivery of such new helicopter, the above agency shall station at least one helicopter at the troop T air operations base station supporting the Wichita area.

(h) On July 1, 2023, 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 \$1,500,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the executive aircraft fund (280-00-6144-6120) of the Kansas highway patrol for the purpose of maintaining and operating the executive aircraft.

Sec. 126.

BUREAU OF INVESTIGATION

(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:

- Byrne discretionary community fund.....No limit
- Coronavirus emergency supplemental fund (083-00-3671).....No limit

(b) On the effective date of this act, the balance in the principal and interest fund set up for the Kansas bureau of investigation forensic science center and held by the trustee, Security Bank of Kansas city, shall be deposited into the state general fund.

Sec. 127.

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, 2024, the following:

- Operating expenditures (083-00-1000-0083).....\$31,584,847

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated to the operating expenditures account for fiscal year 2024: *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, 2023, is hereby reappropriated for fiscal year 2024: *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, 2024, 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
Coronavirus emergency	
supplemental fund (083-00-3671).....	No limit
Byrne discretionary community fund.....	No limit

(c) During the fiscal year ending June 30, 2024, 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 2024 made by this act or other appropriation act of the 2023 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 2024 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.

(d) For the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the above agency, 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 replacement of a heating, ventilation and air conditioning system at the Great Bend laboratory and for laboratory equipment, 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 2024 to be used for such heating, ventilation and air conditioning system at the Great Bend laboratory and for laboratory equipment, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and 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 of up to \$910,000 for such heating, ventilation and air conditioning system and up to \$510,000 for such laboratory equipment as available from such funds to the special revenue fund of the above agency designated by the director of the Kansas bureau of investigation for the purpose of funding such heating, ventilation and air conditioning system at the Great Bend laboratory and for laboratory equipment: *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 such funds shall be expended for such heating, ventilation and air conditioning system at the Great Bend laboratory and for laboratory equipment: *Provided, however*, That if moneys are not available to be transferred from any such special revenue funds to fund such heating, ventilation and air conditioning system at the Great Bend laboratory and laboratory equipment, then such heating, ventilation and air conditioning system at the Great Bend laboratory and laboratory equipment shall not be funded pursuant to this subsection.

Sec. 128.

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, 2024, 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).....\$1,953,038

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, 2024.

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 2024 by this or other appropriation act of the 2023 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 2024 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 2024, as authorized by this or any other appropriation act of the 2023 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 2024 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, 2023, and January 1, 2024, 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, 2024, 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 2024, 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 2024 are insufficient to fund the budgeted expenditures and transfers from the emergency medical services operating fund for fiscal year 2024 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 2024 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, 2024, 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, 2024.

Sec. 129.

KANSAS SENTENCING COMMISSION

(a) On the effective date of this act, of the \$1,170,264 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 140(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the operating expenditures account (626-00-1000-0303), the sum of \$24,518 is hereby lapsed.

Sec. 130.

KANSAS SENTENCING COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (626-00-1000-0303).....\$1,405,235

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*; That expenditures from the operating expenditures account for official hospitality shall not exceed \$900.

Substance abuse

treatment programs (626-00-1000-0600).....\$8,778,903

Provided, That any unencumbered balance in the substance abuse treatment programs account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; That, notwithstanding the provisions of K.S.A. 2022 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 2024, 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, 2024, 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).....No limit

Statistical analysis – federal fund (626-00-3600).....No limit

Coronavirus relief fund (626-00-3753).....No limit

Sec. 131.

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, 2023, by section 125(a) of chapter 81 of the 2022 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 \$750,259 to \$822,153.

Sec. 132.

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, 2024, 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).....\$916,965

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. 133.

KANSAS DEPARTMENT OF AGRICULTURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (046-00-1000-0053).....	\$150,000
Soil health initiative (046-00-1000).....	\$200,000
Water resource cost share (046-00-1000).....	\$65,758

Sec. 134.

KANSAS DEPARTMENT OF AGRICULTURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (046-00-1000-0053).....	\$10,695,008
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Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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, 2024, 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:

Meat and poultry inspection	
fee fund (046-00-2004-0700).....	No limit
Entomology fee fund (046-00-2006-0900).....	No limit
Livestock market brand inspection	
fee fund (046-00-2007-2010).....	No limit
Veterinary inspection fee fund (046-00-2009-2020).....	No limit
Livestock brand fee fund (046-00-2011-2030).....	No limit
Grain commodity commission	
services fund (046-00-2018-1070).....	No limit
Water structures fund (046-00-2037-1075).....	No limit
Water structures – state	
highway fund (046-00-2043-1080).....	No limit
Kansas agricultural	
remediation fund (046-00-2095-1090).....	No limit
Dairy fee fund (046-00-2105-1015).....	No limit
Water resources cost fund (046-00-2110-1020).....	No limit
<i>Provided</i> , 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.	
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
- Agriculture seed fee fund (046-00-2187-2720).....No limit
- Chemigation fee fund (046-00-2194-1800).....No limit
- 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.

- 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.

Plant pest emergency

- response fund (046-00-2210-1805).....No limit
- Water transfer hearing fund (046-00-2278-1900).....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.

- 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.

- Trademark fund (046-00-2333-2360).....No limit

Commercial industrial hemp act licensing

- fee fund (046-00-2343-2343).....No limit
- 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.

- Conversion of materials and equipment fund (046-00-2402-2200).....No limit
- Lodging fee fund (046-00-2456-2400).....No limit
- Buffer participation incentive fund (046-00-2517-2510).....No limit
- Land reclamation fee fund (046-00-2542-2090).....No limit
- Petroleum inspection fee fund (046-00-2550-2550).....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.

- Laboratory equipment fund (046-00-2710-2700).....No limit
- Arkansas river gaging fund (046-00-2751-2751).....No limit
- 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.

- 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 2024, 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.

Conference registration and disbursement fund (046-00-2772-2101).....	No limit
<i>Provided, That expenditures may be made from the conference registration and disbursement fund for official hospitality.</i>	
Reimbursement and recovery fund (046-00-2773-2294).....	No limit
<i>Provided, That expenditures may be made from the reimbursement and recovery fund for official hospitality.</i>	
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
Pesticide use fee fund (046-00-2804-4300).....	No limit
Egg fee fund (046-00-2808-4600).....	No limit
Warehouse fee fund (046-00-2809-4700).....	No limit
Food safety fee fund (046-00-2813-4805).....	No limit
Pesticide disposal fund (046-00-2831-2831).....	No limit
Water structures emergency fund (046-00-2868-2868).....	No limit
Meat and poultry inspection fund – federal (046-00-3013-3100).....	No limit
NRCS grant CFDA 10.932 fund (046-00-3022-3903).....	No limit
Water structures NRCS LIDAR grant (046-00-3081-3081).....	No limit
Market protection/ promotion fund (046-00-3104-3315).....	No limit
Homeland security grant – federal fund (046-00-3199-3436).....	No limit
Cooperating technical partners – federal fund (046-00-3203-3213).....	No limit
NRCS grant CFDA 10.931 fund (046-00-3228-3220).....	No limit
EPA pesticide performance partnership grant – federal fund (046-00-3295-3290).....	No limit
Plant/animal disease and pest control (046-00-3360).....	No limit
FEMA dam safety – federal fund (046-00-3362-3353).....	No limit
USDA Kansas forestry service – federal fund (046-00-3426-3380).....	No limit
Ag stats report fund (046-00-3427-3390).....	No limit
National floodplain insurance assistance (CAP) – federal fund (046-00-3445-3330).....	No limit
Food/drug administration/research (046-00-3462).....	No limit
Specialty crop block grant fund (046-00-3463-3300).....	No limit
Local food purchase agreement –	

federal fund (046-00-3662-3662).....	No limit
Watershed protect approach/WTR	
RSRCE MGT fund (046-00-3889).....	No limit
NRCS stream bank water quality –	
federal fund (046-00-3917).....	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
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.

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2024, for the water plan project or projects specified, the following:

Interstate water issues (046-00-1800-0070).....	\$514,664
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Provided, That any unencumbered balance in the interstate water issues account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Water use (046-00-1800-0075).....	\$100,000
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Provided, That any unencumbered balance in the water use account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Basin management (046-00-1800-0080).....	\$650,174
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Provided, That any unencumbered balance in the basin management account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Irrigation technology (046-00-1800-0088).....	\$550,000
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Provided, That any unencumbered balance in the irrigation technology account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Crop and livestock research (046-00-1800-0089).....	\$350,000
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Provided, That any unencumbered balance in the crop and livestock research account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Soil health initiative (046-00-1800-0090).....	\$400,000
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Provided, That any unencumbered balance in the soil health initiative account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Water resources

cost share (046-00-1800-1205).....	\$2,834,714
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Provided, That any unencumbered balance in the water resources cost share account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024:

Provided further; That the initial allocation for grants to conservation districts for fiscal year 2024 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 2024 for the water resources cost share account.

Nonpoint source

pollution assistance (046-00-1800-1210).....\$1,863,636

Provided, That any unencumbered balance in the nonpoint source pollution assistance account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Conservation district aid (046-00-1800-1220).....\$2,502,706

Provided, That any unencumbered balance in the conservation district aid account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Kansas conservation reserve enhancement

program fund (046-00-1800-1225).....\$550,727

Provided, That any unencumbered balance in the Kansas conservation reserve enhancement program fund account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Watershed dam

construction (046-00-1800-1240).....\$650,000

Provided, That any unencumbered balance in the watershed dam construction account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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).....\$0

Provided, That any unencumbered balance in the Kansas water quality buffer initiatives account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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 2024 in accordance with contracts, which are hereby authorized to be entered into by the secretary of agriculture, for such grants or incentives.

Riparian and

wetland program (046-00-1800-1260).....\$154,024

Provided, That any unencumbered balance in the riparian and wetland program account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Streambank stabilization

projects (046-00-1800-1290).....\$750,000

Provided, That any unencumbered balance in the streambank stabilization projects account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Kansas reservoir protection initiative administration.....\$0

(d) During the fiscal year ending June 30, 2024, 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 2024 from the state water plan fund for the Kansas department of agriculture to another item of appropriation for fiscal year 2024 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 the budget; (2) the director of legislative research; (3) the chairperson of the house of representatives agriculture and natural resources budget committee; and (4) the appropriate chairperson of the subcommittee on agriculture of the senate committee on ways and means.

(e) On July 1, 2023, 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 (276-00-4100-4100) 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, 2024, the following:

Agriculture marketing program (046-00-1900-1110).....\$1,013,276

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. 135.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, 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, 2023, is hereby reappropriated for fiscal year 2024:

Provided further, That the above agency shall make expenditures from the operating expenditures account during the fiscal year 2024 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, 2024, 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. 136.

KANSAS WATER OFFICE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Water resources operating
expenditures (709-00-1000-0303).....\$1,074,617

Provided, That any unencumbered balance in the water resources operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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, 2024, 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 (709-00-2022).....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.

Lower Smoky Hill water supply
access fund (709-00-2203-2203).....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.

Indirect cost fund (709-00-2419-2419).....No limit

State conservation storage water
supply fund (709-00-2502-2600).....No limit

Provided, That expenditures may be made by the above agency from the State conservation storage water supply fund for acquisition of storage or to complete studies or take actions necessary to ensure reservoir storage sustainability, subject to the availability of moneys credited to the state conservation storage water supply fund.

Equipment leasing fee fund.....No limit

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 2024 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.

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

South fork Republican river water conservation

projects fund (709-00-2824-2824).....No limit

Provided, That during the fiscal year ending June 30, 2024, the above agency shall pay an amount equal to the amount certified pursuant to subsection (k) 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: *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.

Milford RCPP federal fund (709-00-3022-3022).....No limit

Multipurpose grant fund (709-00-3103-3103).....No limit

Emergency management performance

grant fund (709-00-3342-3342).....No limit

HHPD rehabilitation

grant fund (709-00-3362-3362).....No limit

Water reclamation and reuse

grant fund (709-00-3731-3731).....No limit

EPA wetland development

grant fund (709-00-3914).....No limit

Motor pool vehicle

replacement fund (709-00-6120-6100).....No limit

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2024, for the state water plan project or projects specified, the following:

Assessment and evaluation (709-00-1800-1110).....\$834,078

Provided, That any unencumbered balance in the assessment and evaluation account

in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

MOU – storage operations

and maintenance (709-00-1800-1150).....\$736,160

Provided, That any unencumbered balance in the MOU – storage operations and maintenance account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Stream gaging (709-00-1800-1190).....\$448,708

Provided, That any unencumbered balance in the stream gaging account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Technical assistance to

water users (709-00-1800-1200).....\$425,000

Provided, That any unencumbered balance in the technical assistance to water users account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Reservoir and water quality research (709-00-1800-1275).....\$450,000

Provided, That any unencumbered balance in the reservoir bathymetric surveys and biological research account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Water quality partnerships (709-00-1800-1280).....\$884,176

Provided, That any unencumbered balance in the water quality partnerships account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Kansas water plan education

and outreach strategy (709-00-1800-1281).....\$250,000

Provided, That any unencumbered balance in the Kansas water plan education and outreach strategy account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

High plains aquifer

partnerships (709-00-1800-1282).....\$850,000

Provided, That any unencumbered balance in the high plains aquifer partnerships account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Kansas reservoir protection

initiative (709-00-1800-1286).....\$1,000,000

Provided, That any unencumbered balance in the Kansas reservoir protection initiative account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Equus beds chloride plume

remediation project (709-00-1800-1287).....\$50,000

Provided, That any unencumbered balance in the equus beds chloride plume remediation project account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Flood response study (709-00-1800-1288).....\$200,000

Provided, That any unencumbered balance in the flood response study account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Arbuckle study (709-00-1800-1289).....\$150,000

Provided, That any unencumbered balance in the arbuckle study account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(d) During the fiscal year ending June 30, 2024, 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 2024 from the state water plan fund for the Kansas water office to another item of appropriation for fiscal year 2024 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, 2024, the director of the Kansas water office may transfer any part of any item of appropriation for fiscal year 2024 from the state water plan fund for the Kansas water office to any item of appropriation for fiscal year 2024 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.

(f) During the fiscal year ending June 30, 2024, 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. 75-3711(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.

(g) During the fiscal year ending June 30, 2024, 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.

(h) During the fiscal year ending June 30, 2024, 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, 2024, 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.

(i) During the fiscal year ending June 30, 2024, 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 2024 by this or other appropriation act of the 2023 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 2024 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.

(j) During the fiscal year ending June 30, 2024, 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.

(k) During the fiscal year ending June 30, 2024, 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. 137.

KANSAS DEPARTMENT OF WILDLIFE AND PARKS

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 134(c) of chapter 81 of the 2022 Session Laws of Kansas on the wildlife fee fund (710-00-2300-2890) of the Kansas department of wildlife and parks is hereby increased from \$35,767,049 to \$36,947,614.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 134(c) of chapter 81 of the 2022 Session Laws of Kansas on the parks fee fund (710-00-2122-2053) of the Kansas department of wildlife and parks is hereby increased from \$11,433,220 to \$11,969,128.

(c) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 134(c) of chapter 81 of the 2022 Session Laws of Kansas on the boating fee fund (710-00-2245-2813) of the Kansas department of wildlife and parks is hereby decreased from \$1,200,236 to \$1,141,486.

(d) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 134(c) of chapter 81 of the 2022 Session Laws of Kansas on the department access roads fund (710-00-2178-2761) of the Kansas department of wildlife and parks is hereby increased from \$1,703,677 to \$1,732,335.

(e) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 168(e) of chapter 81 of the 2022 Session Laws of Kansas on parks rehabilitation and repair projects (710-00-2122-2066) of the Kansas department of wildlife and parks is hereby increased from \$2,300,000 to \$2,750,000.

(f) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 168(m) of chapter 81 of the 2022 Session Laws of Kansas on recreational trails program (710-00-3238-3238) of the Kansas department of wildlife and parks is hereby decreased from \$1,680,400 to \$1,630,400.

Sec. 138.

KANSAS DEPARTMENT OF WILDLIFE AND PARKS

(a) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2024, the following:

Stream monitoring (710-00-1800-1801).....\$224,457

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (710-00-1900-1910).....\$1,880,039

Provided, That any unencumbered balance in the operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided, however*; That expenditures from this account for official hospitality shall not exceed \$2,500: *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 2024, expenditures shall be made by the above agency from the operating expenditures account for fiscal year 2024 to include a provision on the calendar year 2024 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).....\$1,787,952

Provided, That any unencumbered balance in the state parks operating expenditures account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

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, 2023, is hereby reappropriated for fiscal year 2024: *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 2024 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, 2023, is hereby reappropriated for fiscal year 2024: *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 2024 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).....\$69,627

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, 2023, is hereby reappropriated for fiscal year 2024: 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 2024 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.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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).....\$37,021,157

Provided, That additional expenditures may be made from the wildlife fee fund for fiscal year 2024 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 2024: 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).....\$12,857,301

Provided, That additional expenditures may be made from the parks fee fund for fiscal year 2024 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 2024: 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).....\$1,103,187

Provided, That additional expenditures may be made from the boating fee fund for fiscal year 2024 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 2024: *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).....\$1,746,736

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 2024, 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 2024:

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
Economic adjustment assistance fund.....	No limit
Law enforcement agency support fund.....	No limit
Enhanced hunter education	
program (710-00-3929-3929).....	No limit
White-nose syndrome	
response (710-00-3904-3904).....	No limit

(d) During the fiscal year ending June 30, 2024, 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 2024, from which expenditures may be made for salaries and wages, as authorized by this or other appropriation act of the 2023 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 2024, 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.

(e) Notwithstanding the provisions of K.S.A. 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, 2024, by this or any other appropriation act of the 2023 regular session of the legislature, expenditures may be made by the above agency from such moneys during fiscal year 2024 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%.

(f) During the fiscal year ending June 30, 2024, notwithstanding the provisions of K.S.A. 2022 Supp. 32-9,101, and amendments thereto, or 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 any special revenue fund or funds for fiscal year 2024, as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys appropriated from any special revenue fund or funds for fiscal year 2024, to issue and make available a Kansas kids lifetime combination hunting and fishing license to any child who is a resident, as defined in K.S.A. 32-701, and amendments thereto, and 15 years of age or younger upon payment of a license fee that shall not exceed \$500.

Sec. 139.

DEPARTMENT OF TRANSPORTATION

(a) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 136(c) of chapter 81 of the 2022 Session Laws of Kansas on the buildings – rehabilitation and repair account (276-00-4100-8005) of the state highway fund (276-00-4100-4100) of the department of transportation is hereby increased from \$4,200,000 to \$4,952,742.

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 136(c) of chapter 81 of the 2022 Session Laws of Kansas on the buildings – other construction, renovation and repair account (276-00-4100-8070) of the state highway fund (276-00-4100-4100) of the department of transportation is hereby increased from \$18,248,376 to \$27,299,652.

(c) On the effective date of this act, 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 \$1,314,773 from the statehouse debt service – state highway fund (173-00-2861-2861) of the department of administration to the state highway fund (276-00-4100-4100) of the department of transportation.

(d) On the effective date of this act, 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 \$324 from the debt service refunding – 2020R – state highway fund (173-00-2865-2865) of the department of administration to the state highway fund (276-00-4100-4100) of the department of transportation.

(e) On the effective date of this act, 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 \$135,926 from the debt service refunding – 2019F/G – state highway fund (173-00-2823-2823) of the department of administration to the state highway fund (276-00-4100-4100) of the department of transportation.

Sec. 140.

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, 2024, 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, 2024, 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 (276-00-2851-2851).....	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, 2024, from the state highway fund (276-00-4100-4100) for the following specified purposes: <i>Provided</i> , That expenditures from the state highway fund for fiscal year 2024, 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).....	\$319,084,889
<i>Provided</i> , 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: <i>Provided further</i> , 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
<i>Provided</i> , 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: <i>Provided further</i> , 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: <i>And provided further</i> , That expenditures may be made from this account to defray all or part of the costs of the conferences, training seminars and workshops.	
Categorical aid NHTSA national priority (276-00-4100-3035).....	No limit
Unmanned aerial systems –	
UAS aviation only (276-00-4100-6400).....	No limit
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
<i>Provided</i> , 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 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the state highway fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Buildings – rehabilitation	
and repair (276-00-4100-8005).....	\$5,000,000
Buildings – reroofing (276-00-4100-8010).....	\$719,916
Buildings – other construction, renovation	
and repair (276-00-4100-8070).....	\$18,730,476
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 2024, expenditures may be made by the above agency from the state highway fund for fiscal year 2024 from the unencumbered balance as of June 30, 2023, 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 2024 shall not exceed the amount of the unencumbered balance in such project account on June 30, 2023, 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 2024.

(d) During the fiscal year ending June 30, 2024, 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 2024 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 2024 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, 2024, 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, 2024, 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, 2024, 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 2024.

(h) Notwithstanding the provisions of K.S.A. 68-416, and amendments thereto, or any other statute, for the fiscal year ending June 30, 2024, 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.

(i) During the fiscal year ending June 30, 2024, the director of the budget shall certify to the director of accounts and reports the difference, if negative, between \$156,424,618 and the amount collected under the motor-fuel tax law and credited to the special city and county highway fund pursuant to K.S.A. 79-3425 and 79-34,142, and amendments thereto, after the transfer from the special city and county highway fund to the county equalization and adjustment fund pursuant to K.S.A. 79-3425c, and amendments thereto: *Provided*, That upon receipt of such certification, the director of accounts and reports shall transfer such certified amount, not to exceed \$4,226,614, from the state general fund to the special city and county highway fund (276-00-4220-4220) of the department of transportation: *Provided further*, That at the same time such certification is transmitted 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.

(j) During the fiscal years ending June 30, 2024, and June 30, 2025, notwithstanding the provisions of K.S.A. 2022 Supp. 75-5096, 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 2024 or 2025 as authorized by this or any other appropriation act of the 2023 or 2024 regular session of the legislature, expenditures shall be made from such moneys for fiscal year 2024 and 2025 for the secretary of transportation to develop a driver's education scholarship grant program to assist qualified individuals to become safe drivers: *Provided*, That any entity that desires to provide a driver's education program may submit an application for a competitive grant of moneys in an amount to be determined by the secretary for the purpose of paying the costs of scholarships to attend a driver's education program: *Provided, however*, That a scholarship for a qualified individual shall not exceed \$200: *Provided further*, That such scholarship shall be awarded upon completion of the driver's education program: *And provided further*, That the secretary of transportation shall administer the provisions of this subsection and may establish additional criteria for qualification for a grant and such other matters deemed necessary by the secretary for the administration of this subsection: *And provided further*, That "qualified individual" means an individual who resides within the state of Kansas, is under 30 years of age and whose household income is positive and not more than 200% of the federal poverty level for the tax year prior to the year in which the application is submitted: *And provided further*, That "federal poverty level"

means the most recent poverty income guidelines published in the calendar year by the United States department of health and human services: *And provided further*, That on or before January 8, 2024, and January 13, 2025, the secretary shall provide a report to the house of representatives committees on appropriations and transportation and the senate committees on ways and means and transportation on the driver's education scholarship grant program.

Sec. 141. 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, 2024, expenditures shall be made by the legislature from the operations (including official hospitality) account of the state general fund for fiscal year 2024 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 2024 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 17, 2024, which is chargeable to fiscal year 2024 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 2024, 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 2024.

Sec. 142. (a) On June 30, 2024, 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, 2024, 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, 2024, 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, 2024, 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, 2024. 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. 143. (a) During the fiscal years ending June 30, 2024, and June 30, 2025, in addition to the other purposes for which expenditures may be made by any state agency that is named in this act, expenditures shall be made by such state agency from moneys appropriated for fiscal year 2024 and fiscal year 2025 by this or any other appropriation act of the 2023 or 2024 regular session of the legislature to post on a searchable website accessible by the public, pursuant to the Kansas taxpayer transparency act, K.S.A. 74-72,123, and amendments thereto, any grant awarded by any agency using state or federal funds, including the grant awardee, applications and a list of all applicants who applied for such grant: *Provided*, That the list of all such applicants shall include: (1) Such applicant's organization name; (2) the county where the proposed project is located; (3) a brief description of the proposed project in such application; (4) the dollar amount requested in such application; and (5) the date that the above agency received such application: *Provided further*, That information required to be included on the website pursuant to this paragraph shall be posted within 30 business days after the date of awarding the grant.

Sec. 144. (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 2023 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 2024 as authorized by this or other appropriation act of the 2023 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 2024 to enroll and actively participate in e-verify for verification of employment eligibility of all employees whose employment commences after January 1, 2024.

(b) During the fiscal year ending June 30, 2024, no state agency named in this or other appropriation act of the 2023 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 2024 as authorized by this or other appropriation act of the 2023 regular session of the legislature for such state agency as authorized by this or other appropriation act of the 2023 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 2023 or 2024 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 2025 as authorized by this or other appropriation act of the 2023 or 2024 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 2025 to enroll and actively participate in e-verify for verification of employment status of all employees whose employment commences during fiscal year 2025.

(d) During the fiscal year ending June 30, 2025, no state agency named in this or other appropriation act of the 2023 or 2024 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 2025 as authorized by this or other appropriation act of the 2023 or 2024 regular session of the legislature for such state agency as authorized by this or other appropriation act of the 2023 or 2024 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 employment services 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 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. 145. (a) During the fiscal years ending June 30, 2023, and June 30, 2024, in addition to the other purposes for which expenditures may be made by the department of administration from moneys appropriated from the state general fund or any special revenue fund or funds for the department of administration for fiscal year 2023 or 2024 by chapter 81 or 97 of the 2022 Session Laws of Kansas, this act or any other

appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the department of administration from the state general fund or from any special revenue fund or funds for fiscal year 2023 or 2024, for and on behalf of the Kansas department for aging and disability services, to convey, without consideration, all of the rights, title and interest in approximately 15 acres of the following described real estate, and any improvements thereon, to the Kansas commission on veterans affairs office:

A part of Section 11, Township 12 South, Range 15, East of the 6th P.M., in Shawnee County, Kansas, described as follows: Beginning at a point 30 feet South of the Northeast Corner of the West Half of Section 11; thence South 89°12' West, parallel with the North line of said Section, 1017.1 feet; thence South 0°06'18" West, 1762.32 feet; thence South 89°54'28" East, 679.14 feet; thence South 0°21'57" West, 856.91 feet to a point 336.65 feet West of the center of Section 11; thence South 0°21'57" West, 2219 feet more or less to the center of Shunganunga Creek; thence Easterly and Northerly, down the center of said Creek and following the meanderings thereof to the East line of the West Half of the East Half of Section 11; thence Northerly along said East line 3473.68 feet more or less to a point 320.04 feet South of the Northeast Corner of the West Half of the East Half of Section 11; thence South 89°12' West, 1301.65 feet to a point 30 feet East of the North South Center Line of Section 11; thence North parallel with said center line 290.4 feet; Thence West 30 feet to the point of beginning,

AND

A part of Section 11, Township 12 South, Range 15 East of the 6th P.M., described as follows: Commencing at a point 30 feet South of the Northeast corner of the West half of said Section 11; thence South 89°12'00" West, parallel to the North line of said Section, 1017.10 feet; thence South 0°06'18" West, 1762.32 feet to the Point of Beginning; thence South 60°45'00" East, 133.00 feet; thence South 00°06'18" West, 123.70 feet to a point on the existing chain-link fence; thence along said fence South 89°54'28" East, 558.75 feet; thence North 00°21'57" East, 188.50 feet; thence North 89°54'28" West, 675.77 feet to the Place of Beginning.

LESS

A tract of land in the Southeast Quarter of Section 11, Township 12 South, Range 15, East of the 6th P.M., described as follows: Commencing at the Northeast Corner of the West Half of the Southeast Quarter of said Section 11, thence South 89 degrees 06 minutes 03 seconds West 600 feet; thence South 00 degrees 17 minutes 05 seconds West, 300.00 feet; thence North 89 degrees 06 minutes 03 seconds East, 600.00 feet; thence North 00 degrees 17 minutes 05 seconds East 300.00 feet to the point of beginning, in the City of Topeka, Shawnee County, Kansas,

AND LESS

A tract of land in the West half of the Southeast Quarter of Section 11, Township 12 South, Range 15 East of the 6th P.M., Beginning at the Southeast corner of the West half of the Northeast quarter; thence coincident with the East line of the West half of said Northeast Quarter on Azimuth 00 degrees 04 minutes 23 seconds, a distance of 50.00 feet to the Point of Beginning; thence continuing coincident with said East line on Azimuth 00 degrees 04 minutes 23 seconds, a distance of 68.65 feet; thence leaving said East line on Azimuth 268 degrees 52 minutes 11 seconds, a distance of 828.70 feet; thence on Azimuth 244 degrees 46 minutes 18 seconds, a distance of 290.52 feet to a point on the South line of said Northeast Quarter; thence on Azimuth 180 degrees 02

minutes 40 seconds, a distance of 461.03 feet; thence on Azimuth 88 degrees 52 minutes 11 seconds, a distance of 1091.41 feet to the East line on the West half of the Southeast Quarter of said Section 11; thence coincident with said East line on Azimuth 00 degrees 02 minutes 40 seconds, a distance of 161.03 feet; thence leaving said East line on Azimuth 268 degrees 52 minutes 11 seconds, a distance of 600.00 feet; thence on Azimuth 00 degrees 02 minutes 40 seconds, a distance of 300 feet to a point on the North line of said Southeast Quarter; thence on Azimuth 00 degrees 04 minutes 23 seconds, a distance of 50.00 feet; thence on Azimuth 88 degrees 52 minutes 11 seconds, a distance of 600.00 feet to the Point of Beginning.

AND LESS

A tract of land in the West half of the Northeast Quarter of Section 11, Township 12 South, Range 15 East of the 6th Principal Meridian in the City of Topeka, Shawnee County, Kansas, Beginning at the Southeast corner of the West half of the Northeast Quarter Section; thence North 00 degrees 18 minutes 33 seconds East along the East line of said West half of the Northeast Quarter Section, 50 feet; thence South 89 degrees 06 minutes 03 seconds West, 600.00 feet thence South 00 degrees 18 minutes 33 seconds West, 50.00 feet; thence North 89 degrees 06 minutes 03 seconds East, 600.00 feet along the South line of said Quarter Section to the Place of Beginning.

AND LESS

A tract of land in the Northwest Quarter of Section 11, Township 12 South, Range 15 East of the 6th Principal Meridian in the City of Topeka, Shawnee County, Kansas, more particularly described as follows: Commencing at the Northeast corner of such Northwest Quarter; thence West along the North line of such Quarter Section a distance of 1,017.1 feet; thence South along the West property line a distance of 30.00 feet to the True Point of Beginning; thence South along such West line a distance of 25.00 feet; thence East parallel to and 55.00 feet South of the North line of such Quarter Section to a point on the East line; thence North along such East line for a distance of 25.00 feet; thence West to the Point of Beginning.

(b) The secretary of administration, in consultation with the secretary of aging and disability services and the director of the Kansas commission on veterans affairs office, shall determine the specific parcel of approximately 15 acres of real estate within the described real estate in subsection (a). Conveyance of such rights, title and interest in such real estate and any improvements thereon shall be executed in the name of the department of administration executed by the secretary of administration. The deed for such conveyance shall be by quitclaim deed.

(c) No exchange and conveyance of real estate and any improvements thereon as authorized by this section shall be made by the secretary of administration until the correct legal description, deeds and conveyances have been reviewed and approved by the attorney general.

(d) The conveyance of real property authorized by this section shall be contingent upon the receipt of funding from the United States department of veterans affairs for the purposes of constructing a state veterans home facility located in northeast Kansas as authorized by section 51 of chapter 97 of the 2022 Session Laws of Kansas. Conveyance of the real property authorized by this section shall not occur in the event the United States department of veterans affairs does not provide funding through its construction grant program for fiscal year 2024.

(e) The conveyance of real property authorized by this section shall not be subject

to the provisions of K.S.A. 75-3043a, and amendments thereto.

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, 2024, for the capital improvement project or projects specified, the following:

Rehabilitation and repair for	
state facilities (173-00-1000-8500).....	\$5,000,000
<i>Provided</i> , That any unencumbered balance in the rehabilitation and repair for state facilities account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.	
Debt service refunding – 2016H (173-00-1000-0464).....	\$6,298,500
Debt service	
refunding – 2019F/G (173-00-1000-0465).....	\$6,578,181
Debt service	
refunding – 2020R (173-00-1000-8563).....	\$8,234,200
Debt service	
refunding – 2020S (173-00-1000-8564).....	\$776,500
Debt service refunding – 2021P (173-00-1000-8562).....	\$5,751,750
Printing plant improvements (173-00-1000).....	\$6,500,000

Provided, That if the above agency, in consultation with the director of the budget, determines that federal moneys received by the state that are identified as moneys from the federal government for aid to the state of Kansas for coronavirus relief are eligible to be used for any such printing plant improvements in addition to the federal funds currently encumbered for such 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, are unencumbered during fiscal year 2024 and may be used for the purposes of this proviso, the director of the budget shall certify the amount of any such additional federal moneys to the director of accounts and reports and then, on the date of such certification, of the \$6,500,000 appropriated for the above agency for the fiscal year ending June 30, 2024, by this section from the state general fund in the printing plant improvements account (173-00-1000), an amount equal to such certified amount is hereby lapsed: *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) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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

Debt service refunding – 2019F/G –
 state highway fund (173-00-2823-2823).....No limit

Debt service refunding – 2020R –
 state highway fund (173-00-2865-2865).....No limit

Debt service refunding – 2020S –
 state highway fund (173-00-2866-2866).....No limit

Printing plant improvement fund.....No limit

(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 2024, 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 2024 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 2024, 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 2024 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 2024.

(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 2024, 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 2024 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 2024, expenditures may be made by the above agency from each such special revenue fund for fiscal year 2024 from the unencumbered balance as of June 30, 2023, 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, 2023: *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 2024 and shall be in addition to any other expenditure limitation imposed on any such account of each such special revenue fund for fiscal year 2024.

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 2024, 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 2024, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair (300-00-2275).....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 2024, 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 2024, for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair (300-00-3275).....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, 2024, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (039-00-8100-8240).....\$3,200,000

Provided, That the secretary for aging and disability services is hereby authorized to transfer moneys during fiscal year 2024 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 2024 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).....\$268,450

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 state general fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Capital improvements (296-00-1000).....\$795,000

Provided, That any unencumbered balance in the capital improvements account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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 2024 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.

(c) 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 2024 as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures may be made by the department of labor for fiscal year 2024 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 2024 by this or other appropriation act of the 2023 regular session of the legislature except upon approval of the state finance council.

(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 2024, expenditures may be made by the above agency from the workmen's compensation fee fund for fiscal year 2024 for the following capital improvement projects: Payment of rehabilitation and repair projects: *Provided*, That expenditures from the workmen's compensation fee fund (296-00-2124-2228) for fiscal year 2024 for such capital improvement purposes shall not exceed \$530,000.

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, 2024, for the capital improvement project or projects specified, the following:

Veterans cemetery program rehabilitation and
repair projects (694-00-1000-0904).....\$236,980

Provided, That any unencumbered balance in the veterans cemetery program rehabilitation and repair projects account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Soldiers' home rehabilitation and
repair projects (694-00-8100-7100).....\$1,027,460

Veterans' home rehabilitation and
repair projects (694-00-8100-8250).....\$1,626,476

Northeast Kansas veterans' home (694-00-8100).....\$16,350,833

Provided, That any unencumbered balance in the northeast Kansas veterans' home account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Committal shelter doors (694-00-8100).....\$90,000

Provided, That notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, or any other statute, expenditures may be made by the above agency from the committal shelter doors account of the state institutions building fund for payment of adding committal shelter doors at the Fort Dodge cemetery and at the WaKeeney cemetery.

Storage building (694-00-8100).....\$192,696

Provided, That notwithstanding the provisions of K.S.A. 76-6b05, and amendments thereto, or any other statute, expenditures may be made by the above agency from the storage building account of the state institutions building fund for payment of a new storage building and fence maintenance at the Fort Dodge cemetery.

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, 2024, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (604-00-8100-8108).....	\$419,988
Security system upgrade project (604-00-8100-8130).....	\$241,277
Campus boilers and HVAC upgrades (604-00-8100-8145).....	\$1,043,319
Electrical safety upgrade (604-00-8100-8155).....	\$204,160
Brighton building elevator (604-00-8100-8160).....	\$400,969
Security Perimeter Fencing.....	\$318,250
Track stabilization.....	\$100,000

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, 2024, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (610-00-8100-8108).....	\$474,024
Campus life safety and security (610-00-8100-8130).....	\$316,651
Campus boilers and HVAC upgrades (610-00-8100-8145).....	\$683,269
Foltz gym wall (610-00-8100-8150).....	\$160,000
Commercial dishwasher.....	\$132,250
Electrical service upgrade.....	\$230,000
Emery building upgrades.....	\$202,000
Dorm remodel.....	\$250,000

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, 2024, the following:

Rehabilitation and repair projects (288-00-1000-8088).....	\$375,000
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Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(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 2024, 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 2024 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 2024.

(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 2024, 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 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair projects.....No limit

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 2024.

(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 2024, expenditures may be made by the above agency from each such special revenue fund for fiscal year 2024 from the unencumbered balance as of June 30, 2023, 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, 2023: *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 2024 and shall be in addition to any other expenditure limitation imposed on any such account of each such special revenue fund for fiscal year 2024.

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, 2024, 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 2020F (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; 379-00-2069-2010).....No limit

Student housing projects (379-00-5650-5120;
379-00-5169-5050).....No limit

Deferred maintenance projects (379-00-2485-2485).....No limit

Morris central renovation (379-00-2526-2040).....No limit

Welch stadium renovation (379-00-2526-2040).....No limit

King hall theatre (379-00-2526-2040).....No limit

(b) During the fiscal year ending June 30, 2024, 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 2023 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, 2022.

(c) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the state universities facilities capital renewal initiative account of the state general 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 2023 regular session of the legislature.

(d) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the demolition of buildings account of the state general 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 2023 regular session of the legislature.

(e) In addition to the other purposes for which expenditures may be made by Emporia state university from the moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 or fiscal year 2025, as authorized by this or other appropriation act of the 2023 or 2024 regular session of the legislature, expenditures may be made by Emporia state university from moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2024 or fiscal year 2025 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 demolish certain facilities and to construct, renovate, develop and equip a new department of nursing and student wellness center all on the campus of Emporia state university: *Provided*, That such capital improvement project is hereby approved for Emporia 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 Emporia 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 and renovation of such project and, for a period of not more than one year following completion 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 Emporia state university shall make provisions for the maintenance of the building.

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, 2024, 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/Wiest hall renovation –	
debt service 2016B (246-00-5103-5020).....	No limit
Memorial union renovation –	
debt service 2005G (246-00-5102-5010).....	No limit
Memorial union addition –	
debt service 2020C (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 (246-00-2035-2000).....	No limit
Rarick hall renovation (246-00-2035-2000).....	No limit
Akers energy center project (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; 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
Gross coliseum parking lot project	
(246-00-2035-2000; 246-00-5185-5050).....	No limit

(b) During the fiscal year ending June 30, 2024, 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 2023 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, 2022.

(c) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the state universities facilities capital renewal initiative account of the state general 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 2023 regular session of the legislature.

(d) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the demolition of building account of the state general 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 2023 regular session of the legislature.

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, 2024, 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 2021A, 2012F/H, 2017B	
(367-00-2062-2000; 367-00-5163-4500).....	No limit
Research initiative debt service	
2021A (367-00-2901-2106).....	No limit
Chiller plant project –	
debt service 2015B (367-00-2062-2000).....	No limit
Recreation complex project – debt service	
2021A, 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; 367-00-2484-2484).....	No limit
Salina student life center project – debt service	
2008D (367-00-5111-5120).....	No limit
Childcare development center project –	
debt service 2019C (367-00-5125-5101).....	No limit
Jardine housing project – debt service 2022D/	
2014D/2015B/2011G-1 (367-00-5163-4500).....	No limit
Wefald dining and residence hall project – debt	
service 2022D/2014D-2 (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 2011G-2 (367-00-2901-2160).....	No limit
Derby dining center project – debt	
service 2019C (367-00-5163-4500).....	No limit
K-state Salina residence hall – debt service	
2022A (367-00-5117-4430).....	No limit
Debt service refunding 2022D (367-00-5163-4500).....	No limit
Capital lease – debt service	
(367-00-2062-2000; 367-00-520-2080;	

367-00-5117-4430).....	No limit
Rehabilitation and repair projects (367-00-2062-2000; 367-00-2062-2080; 367-00-2520-2080; 367-00-2901-2160).....	No limit
Deferred maintenance projects (367-00-2484-2484).....	No limit
Parking maintenance projects (367-00-5181-4638).....	No limit
Student housing projects (367-00-5163-4500; 367-00-5117-4430).....	No limit
Engineering hall renovation project (367-00-2062-2000).....	No limit
Building retro-commissioning project (367-00-2901-2160).....	No limit

(b) During the fiscal year ending June 30, 2024, 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 2023 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, 2022.

(c) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the state universities facilities capital renewal initiative account of the state general 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 2023 regular session of the legislature.

(d) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the demolition of building account of the state general 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 2023 regular session of the legislature.

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, 2024, 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; 369-00-2921-1200).....	No limit
Rehabilitation and repair projects (369-00-2697-1100).....	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, 2024, 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
- Rehabilitation and repair projects
 (368-00-2129-5500; 368-00-5160-5300;
 368-00-2590-5530).....No limit
- AHU replacement project (368-00-2590-5530).....No limit
- Mosier lab renovation (368-00-2590-5530).....No limit

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, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

- Building renovations – debt service 2014A1, 2022E
 (385-00-2833-2831; 385-00-5106-5105).....No limit
- Overman student center –
 debt service 2014A2 (385-00-2820-2820).....No limit
- Energy conservation projects –
 debt service 2011D/D3, 2015M, 2014A-1
 (385-00-5165-5050; 385-00-2070-2010;
 385-00-5646-5160).....No limit
- Student housing projects – debt service 2011D1,
 2020H, 2014A1 (385-00-2833-2831;
 385-00-5165-5050).....No limit
- Parking facility – debt service
 2020H (385-00-5187-5060).....No limit
- Tyler scientific research center – debt service
 2015K (385-00-2903-2903).....No limit
- Debt service refunding – 2022E
 (385-00-2070-2010; 385-00-5106-5105).....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; 385-00-2070-2010;
 385-00-2529-2040).....No limit
- Student housing maintenance projects (385-00-5646-5160).....No limit
- Parking maintenance projects (385-00-5187-5060).....No limit
- Energy conservation projects –
 debt service 2011D/D3, 2015M,
 2014A-1 (385-00-5165-5050).....No limit
- Student housing project – debt
 service 2011D1 (385-00-2833-2830).....No limit

Student housing projects – debt service	
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	
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, 2024, 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 2023 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, 2022.

(c) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the state universities facilities capital renewal initiative account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by the provisions of this or other appropriation act of the 2023 regular session of the legislature.

(d) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the demolition of building account of the state general fund of the above agency of moneys transferred to such account by the state board of regents by the provisions of this or other appropriation act of the 2023 regular session of the legislature.

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, 2024, 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 2014C, 2017A,	
2020B, 2021D (682-00-5142-5050).....	No limit
Engineering facility – debt service 2021D	
(682-00-2153-2153; 682-00-2545-2080).....	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 facility – debt	
service 2014C (682-00-5175-5070).....	No limit
Energy conservation projects – debt service	

2020B (682-00-2107-2000; 682-00-2545-2080).....	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; 682-00-5142-5050; 682-00-2545-2080; 682-00-2905-2160).....	No limit
Rehabilitation and repair projects (682-00-2107-2000; 682-00-2545-2080).....	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
Student health facility rehabilitation and repair projects (682-00-5640-5120).....	No limit
Student recreation center rehabilitation and repair (682-00-2864-2860).....	No limit

(b) During the fiscal year ending June 30, 2024, 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 2023 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, 2022.

(c) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the state universities facilities capital renewal initiative account of the state general 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 2023 regular session of the legislature.

(d) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the demolition of building account of the state general 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 2023 regular session of the legislature.

(e) For the fiscal year ending June 30, 2024, the director of the budget shall determine, in consultation with the above agency, 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 to construct, upgrade and equip the Kansas geological survey's laboratory facilities to increase onsite storage and layout space that will house high-end core scanning instrumentation, enhance the core analysis and water quality programs,

improve on-site examination space, provide additional wet labs and to improve analytical capabilities, 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 2024 to be used for such capital improvements, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and 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 of up to \$3,800,000 as available from such funds to the special revenue fund of the above agency designated by the chancellor of the above agency for the purpose of funding such capital improvements: *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 such funds shall be expended for such projects: *Provided, however*, That if moneys are not available to be transferred from any such special revenue funds to fund such projects, such project shall not be funded pursuant to this subsection.

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, 2024, 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 2020B (683-00-2108-2500).....	No limit
Hemenway research initiative – debt service	
2020B (683-00-2907-2800; 683-00-2108).....	No limit
KUMC research institute – debt service	
2020B (683-00-2907-2800; 683-00-2108).....	No limit
Parking garage 3 –	
debt service 2014C (683-00-5176-5550).....	No limit
Parking garage 4 – debt service	
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).....	
Rehabilitation and repair projects	
(683-00-2108-2500; 683-00-2394-2390;	
683-00-2551-2600; 683-00-2907-2800;	
683-00-2915-2915).....	
No limit	
Parking maintenance projects (683-00-5176-5550).....	
No limit	

(b) During the fiscal year ending June 30, 2024, 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 2023 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, 2022.

(c) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the state universities facilities capital renewal initiative account of the state general 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 2023 regular session of the legislature.

(d) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the demolition of building account of the state general 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 2023 regular session of the legislature.

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, 2024, 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 2020P (715-00-2558-2030).....	No limit
Engineering research lab – debt	
service 2016J (715-00-2558-2030).....	No limit
Shocker residence hall –	
debt service 2021L (715-00-5100-5250).....	No limit
Parking garage – debt	
service 2016J (715-00-5148-5000).....	No limit
Fairmont towers – debt	
service 2012A2 (715-00-5620-5270).....	No limit
Woolsey hall – school of business	
debt service 2020P (715-00-2112-2000;	
715-00-2558-2030).....	No limit
Flats and suites –	
debt service 2020P (715-00-5100-5250).....	No limit
Convergence sciences 2 – debt	
service 2021L (715-00-2558).....	No limit
Honors colleges foundation –	
debt service (715-00-2112-2000).....	No limit

Deferred maintenance projects (715-00-2489-2489).....	No limit
Rehabilitation and repair projects (715-00-2558-2030; 715-00-2908-2080; 715-00-2558-3000; 715-00-2112-2000).....	No limit
Parking maintenance projects (715-00-5159-5040).....	No limit
Clinton hall shocker student success center – debt service 2022G (715-00-2112-2000; 715-00-2558-2030).....	No limit
Marcus welcome center project (715-00-2558; 715-00-2112-2000).....	No limit
Student housing projects (715-00-5100-5250).....	No limit
NIAR/engineering/industry & defense projects (715-00-2908-2080; 715-00-2558-2030; 715-00-2558-3000).....	No limit
Cessna stadium demolition (715-00-2558-2030).....	No limit

(b) During the fiscal year ending June 30, 2024, 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 2023 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, 2022.

(c) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the state universities facilities capital renewal initiative account of the state general 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 2023 regular session of the legislature.

(d) During the fiscal year ending June 30, 2024, the above agency may make expenditures from the demolition of building account of the state general 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 2023 regular session of the legislature.

(e) 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 2024 or fiscal year 2025, as authorized by this or other appropriation act of the 2023 or 2024 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 2024 or fiscal year 2025 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 renovation and equipment of the university stadium on the 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 \$17,850,000 plus all amounts required for costs of bond issuance, costs of interest on the bonds issued for such capital improvement project during the renovation 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 stadium.

(f) 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 2024 or fiscal year 2025, as authorized by this or other appropriation act of the 2023 or 2024 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 2024 or fiscal year 2025 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 the NIAR technology and innovation 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 \$15,200,000 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, 2024, for the capital improvement project or projects specified, the following:

State universities facilities capital

renewal initiative (561-00-1000-0320).....\$20,000,000

Provided, That any unencumbered balance in the state universities facilities capital renewal initiative account of the state general fund for the above agency or for any institution under the control and supervision of the state board of regents in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; That the state board of regents is hereby authorized to transfer moneys from the the state universities facilities capital renewal initiative account of the state general fund to the state universities facilities capital renewal initiative account of the state general fund of any institution under the control and supervision of the state board of regents, which is hereby created, to be expended by the institution for the state universities facilities capital renewal initiative approved by the state board of regents: *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: *And provided further*; That any expenditures made by the board of regents or a state educational institution, as defined in K.S.A. 76-711, and amendments thereto, from such account during fiscal year 2024 shall require a match of nonstate moneys on a \$1-for-\$1 basis, from either the state educational institution or private moneys.

Demolition of buildings (561-00-1000-8510).....\$10,000,000

Provided, That any unencumbered balance in the demolition of buildings account of the state general fund for the above agency or for any institution under the control and supervision of the state board of regents in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*; The state board of regents is hereby authorized to transfer moneys from the demolition of buildings account of the state general fund to a demolition of buildings account of the state general fund of any institution under the control and supervision of the state board of regents, which is hereby created, to be expended by the institution for demolition projects approved by the state board of regents: *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: *And provided further*; That all expenditures from the demolition of buildings account in fiscal year 2024 shall be only for the demolition or razing of buildings on the campus of state educational institutions as defined by K.S.A. 76-711, and amendments thereto: *Provided, however*; That expenditures of \$750,000 shall be made in fiscal year 2024 for demolition of buildings at Washburn university in Topeka, Kansas.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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 (561-00-8001-8108).....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.

Sec. 164.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Priority capital improvement projects (400-00-1000).....\$4,000,000

Provided, That no expenditures shall be made from the priority capital improvement projects account to raze buildings at the Lansing correctional facility.

(b) There is appropriated for the above agency from the correctional institutions building fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Capital improvements – rehabilitation and repair of
correctional institutions (521-00-8600-8240).....\$4,442,000

Provided, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 2024 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 2024 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, 2024, for the capital improvement project or projects specified, the following:

Capital improvements –
rehabilitation and repair of juvenile
correctional facilities (521-00-8100-8000).....\$630,000

Provided, That the secretary of corrections is hereby authorized to transfer moneys during fiscal year 2024 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 2024 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.

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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
 - Correctional industries fund capital unit (522-00-6126-7301).....No limit
- Sec. 165.

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, 2024, for the capital improvement project or projects specified, the following:

- Rehabilitation and repair projects (083-00-1000-0100).....\$300,000

Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

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 2024, expenditures may be made by the above agency from the highway patrol training center fund for fiscal year 2024 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 2024.

(b) In addition to the other purposes for which expenditures may be made from the vehicle identification number fee fund (280-00-2213) for fiscal year 2024, expenditures may be made by the above agency from the vehicle identification number fee fund for fiscal year 2024 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 2024.

(c) In addition to the other purposes for which expenditures may be made from the Kansas highway patrol operations fund for fiscal year 2024, expenditures may be made by the above agency from the Kansas highway patrol operations fund for fiscal year 2024 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).....\$382,144

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 2024.

(d) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$382,144 from the state highway fund (276-00-4100-4100) 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 2024 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 2024 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 (280-00-3545) for fiscal year 2024, expenditures may be made by the above agency from the following account or accounts of the KHP federal forfeiture – federal fund for fiscal year 2024 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 2024.

Sec. 167.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Rehabilitation and	
repair projects (034-00-1000-8000).....	\$1,156,322

Provided, That any unencumbered balance in the rehabilitation and repair projects account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Deferred maintenance (034-00-1000-0700).....	\$2,000,000
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Provided, That any unencumbered balance in the deferred maintenance account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

Any unencumbered balance in excess of \$100 as June 30, 2023, in the each of the following accounts are hereby reappropriated for fiscal year 2024: Hays armory (034-00-1000-8040); SDB remodel (034-00-1000-8030).

Sec. 168.

STATE FAIR BOARD

(a) For the fiscal year ending June 30, 2023, the director of the budget shall determine, in consultation with the above agency, 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 security projects on the state fairgrounds, 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 2023 to be used for such security projects, the director of the budget shall certify the amount of such federal coronavirus relief moneys from each fund to the director of accounts and reports, and 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 of up to \$600,000 as available from such funds to the special revenue fund of the above agency designated by the general manager of the above agency for the purpose of funding such security projects: *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 such funds shall be expended for such projects: *Provided, however*, That if moneys are not available to be transferred from any such special revenue funds to fund such projects, such project shall not be funded pursuant to this subsection.

Sec. 169.

STATE FAIR BOARD

(a) Any unencumbered balance in the following accounts of the state general fund for the above agency in excess of \$100 as of June 30, 2023, are hereby reappropriated for fiscal year 2024: Bison arena renovation (373-00-1000-8105) and state fair facilities upgrades (373-00-1000-8110).

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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

(c) On or before the 10th day of each month during the fiscal year ending June 30, 2024, 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.

Sec. 170.

KANSAS DEPARTMENT OF WILDLIFE AND PARKS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Dam repair.....\$2,500,000

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

State parks operating expenditures (710-00-1900-1920).....\$364,841

(c) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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

(d) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$3,402,545 from the state highway fund (276-00-4100-4100) of the department of transportation to the department access road fund (710-00-2178-2760) of the Kansas department of wildlife and parks.

(e) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$200,000 from the state highway fund (276-00-4100-4100) of the department of transportation to the bridge maintenance fund (710-00-2045-2070) of the Kansas department of wildlife and parks.

(f) 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 2024, 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 2024 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 2024.

(g) In addition to the other purposes for which expenditures may be made by the above agency from the parks fee fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the parks fee fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Parks rehabilitation and repair projects (710-00-2122-2066).....\$2,055,000

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 2024.

(h) In addition to the other purposes for which expenditures may be made by the above agency from the boating fee fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the boating fee fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Coast guard boating projects (710-00-2245-2840).....\$50,000

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 2024.

(i) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife fee fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife fee fund during fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Shooting range development (710-00-2300-2301).....	\$302,256
Land acquisition (710-00-2300-3040).....	\$400,000
Federally mandated boating access (710-00-2300-4360).....	\$743,500
Rehabilitation and repair (710-00-2300-3262).....	\$2,535,000

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 2024.

(j) In addition to the other purposes for which expenditures may be made by the above agency from the cabin revenue fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the cabin revenue fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Cabin site preparation (710-00-2668-2660).....	\$500,000
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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 cabin revenue fund for fiscal year 2024.

(k) In addition to the other purposes for which expenditures may be made by the above agency from the wildlife restoration fund for fiscal year 2024, expenditures may be made by the above agency from the following capital improvement account or accounts of the wildlife restoration fund for fiscal year 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair (710-00-3418-3422).....	\$4,097,500
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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 wildlife restoration fund for fiscal year 2024.

(l) 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 2024, 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 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Rehabilitation and repair (710-00-3490-3491).....	\$650,000
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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 sport fish restoration program fund for fiscal year 2024.

(m) 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 2024, 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 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Wetlands acquisition (710-00-2600-3330).....\$775,004

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 2024.

(n) 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 2024, 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 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Land and water conservation

development (710-00-3794-3794).....\$800,000

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 2024.

(o) 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 2024, 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 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

Recreational trails program (710-00-3238-3238).....\$730,421

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 2024.

(p) 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 2024, 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 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

FLW-AG land capital improvements.....\$50,000

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 2024.

(q) 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 2024, 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 2024 for the following capital improvement project or projects, subject to the expenditure limitations prescribed therefor:

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 2024.

(r) 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 2024, expenditures may be made by the above agency from each such special revenue fund for fiscal year 2024 from the unencumbered balance as of June 30, 2023, 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, 2023: *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 2024 and shall be in addition to any other expenditure limitation imposed on any such account of each such special revenue fund for fiscal year 2024.

Sec. 171. K.S.A. 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. For the fiscal year ending June 30, ~~2022~~ 2023, notwithstanding the other provisions of this section, on March 1, ~~2022~~ 2023, 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 ~~2022~~ 2023 from state fair activities and non-fair days activities through March 1, ~~2022~~ 2023, except that, subject to approval by the director of the budget prior to March 1, ~~2022~~ 2023, 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, ~~2022~~ 2023, the state fair board may certify an amount on March 1, ~~2022~~ 2023, 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, ~~2022~~ 2023, 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 ~~2022~~ 2023. 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. For the fiscal year ending June 30, ~~2023~~ 2024, notwithstanding the other provisions of this section, on March 1, ~~2023~~ 2024, 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 ~~2023~~ 2024 from state fair activities and non-fair days activities through March 1, ~~2023~~ 2024, except that, subject to approval by the director of the budget prior to March 1, ~~2023~~ 2024, 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, ~~2023~~ 2024, the state fair board may certify an amount on March 1, ~~2023~~ 2024, 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, ~~2023~~ 2024, 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 ~~2023~~ 2024. 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. 172. K.S.A. 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 ~~2022~~, 2023, 2024 and ~~2024~~ 2025, 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. 173. K.S.A. 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. 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, 2021~~, July 1, 2022, ~~and~~ July 1, 2023, and July 1, 2024, 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 ~~2022~~, ~~fiscal year 2023~~ and, fiscal year 2024 and fiscal year 2025, 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 9, 2023~~; January 8, 2024, ~~and~~ January 13, 2025, and January 12, 2026, 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. 174. K.S.A. 2022 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 years 2022 and 2023, 2024 and 2025.~~

Sec. 175. K.S.A. 2022 Supp. 74-50,107 is hereby amended to read as follows: 74-50,107. (a) Commencing on July 1, 2021, and on the first day of each month thereafter during ~~fiscal year 2022, fiscal year 2023 and, fiscal year 2024 and fiscal year 2025,~~ 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; (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 2022, the aggregate amount that is credited to the job creation program fund pursuant to this subsection shall not exceed \$8,500,000 for each such fiscal year.~~ During fiscal year 2023 ~~and~~ fiscal year 2024 ~~and fiscal year 2025~~, the aggregate amount that is credited to the job creation program fund pursuant to this subsection shall not exceed \$20,000,000 for each such fiscal year.

(b) Commencing on July 1, ~~2024~~ 2025, 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. 176. K.S.A. 2022 Supp. 74-8711 is hereby amended to read as follows: 74-8711. (a) There is hereby established in the state treasury the lottery operating fund.

(b) Except as provided by K.S.A. 74-8724 and the Kansas expanded lottery act, and amendments thereto, the executive director shall remit all moneys collected from the sale of lottery tickets and shares and any other moneys received by or on behalf of the Kansas lottery 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 lottery operating fund. Moneys credited to the fund shall be expended or transferred only as provided by this act. 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 executive director or by a person designated by the executive director.

(c) Moneys in the lottery operating fund shall be used for:

(1) The payment of expenses of the lottery, which shall include all costs incurred in the operation and administration of the Kansas lottery; all costs resulting from contracts entered into for the purchase or lease of goods and services needed for operation of the lottery, including but not limited to supplies, materials, tickets, independent studies and surveys, data transmission, advertising, printing, promotion, incentives, public relations, communications and distribution of tickets and shares; and reimbursement of costs of facilities and services provided by other state agencies;

(2) the payment of compensation to lottery retailers;

(3) transfers of moneys to the lottery prize payment fund pursuant to K.S.A. 74-

8712, and amendments thereto;

(4) transfers to the state general fund pursuant to K.S.A. 74-8713, and amendments thereto;

(5) transfers to the community crisis stabilization centers fund and clubhouse model program fund of the Kansas department for aging and disability services pursuant to subsection (e);

(6) transfers to the state gaming revenues fund pursuant to subsection (d) and as otherwise provided by law;

(7) transfers to the white collar crime fund of the governor pursuant to subsection (f);

(8) transfers to the problem gambling and addictions grant fund of the department for aging and disability services pursuant to subsection (g); ~~and~~

(9) transfers to the attracting professional sports to Kansas fund of the department of commerce pursuant to subsection (h); and

(10) transfers to the county reappraisal fund as prescribed by law.

(d) The director of accounts and reports shall transfer moneys in the lottery operating fund to the state gaming revenues fund created by K.S.A. 79-4801, and amendments thereto, on or before the 15th day of each month in an amount certified monthly by the executive director and determined as follows, whichever is greater:

(1) An amount equal to the moneys in the lottery operating fund in excess of those needed for the purposes described in subsections (c)(1) through (c)(6); or

(2) except for pull-tab lottery tickets and shares, an amount equal to not less than 30% of total monthly revenues from the sales of lottery tickets and shares less estimated returned tickets. In the case of pull-tab lottery tickets and shares, an amount equal to not less than 20% of the total monthly revenues from the sales of pull-tab lottery tickets and shares less estimated returned tickets.

(e) (1) Subject to the limitations set forth in paragraph (2), commencing in fiscal year 2020, on or before the 10th day of each month, the director of the lottery shall certify to the director of accounts and reports all net profits from the sale of lottery tickets and shares via lottery ticket vending machines. Of such certified amount, the director of accounts and reports shall transfer 75% from the lottery operating fund to the community crisis stabilization centers fund of the Kansas department for aging and disability services and 25% from the lottery operating fund to the clubhouse model program fund of the Kansas department for aging and disability services.

(2) Moneys transferred pursuant to paragraph (1) shall not exceed in the aggregate ~~\$4,000,000~~ \$9,000,000 in fiscal year ~~2019~~ years 2023 and 2024, and shall not exceed in the aggregate \$8,000,000 in fiscal year ~~2020~~ 2025 and each fiscal year thereafter.

(f) On July 1, 2023, and each July 1 thereafter, or as soon thereafter as moneys are available, the first \$750,000 credited to the lottery operating fund from 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 K.S.A. 2022 Supp. 74-8792, and amendments thereto.

(g) On July 1, 2023, and each July 1 thereafter, or as soon thereafter as moneys are available, after the transfer required under subsection (f) has been made, 2% of the remaining moneys credited to the lottery operating fund from 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 problem gambling and addictions

grant fund established in K.S.A. 79-4805, and amendments thereto.

(h) On July 1, 2023, and each July 1 thereafter, or as soon thereafter as moneys are available, after the transfer required under subsection (f) has been made, 80% of the remaining moneys credited to the lottery operating fund from 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 attracting professional sports to Kansas fund established in K.S.A. 2022 Supp. 74-8793, and amendments thereto.

Sec. 177. K.S.A. 2022 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 10th 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 ~~2022, 2023 and~~ 2024 and 2025, 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. 2022 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 ~~2022, 2023 and, 2024~~ and 2025, 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. 2022 Supp. 75-6707 is hereby amended to read as follows: 75-6707. (a) For the fiscal years ending ~~June 30, 2022~~, June 30, 2023, ~~and~~ June 30, 2024, and June 30, 2025, 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) ~~(1) Upon~~ Except as provided in paragraph (2), 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, 2022~~, June 30, 2023, ~~and~~ June 30, 2024, and June 30, 2025, to the budget stabilization fund established by K.S.A. 75-6706, and amendments thereto.

(2) During the fiscal years ending June 30, 2023, June 30, 2024, and June 30, 2025, if the balance of the budget stabilization fund is 15% or greater of the amount of actual tax receipt revenues to the state general fund at the end of each such fiscal year, no transfers from the state general fund to the budget stabilization fund shall be made pursuant to this subsection.

(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. 180. K.S.A. 2022 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, 2022~~, June 30, 2023, ~~and~~ June 30, 2024, June 30, 2025, 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. 181. K.S.A. 2022 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, 2022~~, June 30, 2023, ~~and~~ June 30, 2024, and June 30, 2025, 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. 182. K.S.A. 2022 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 ~~2022, 2023 and, 2024 and 2025~~; and (2) the amount of the transfer on each such date shall be \$27,000,000 during fiscal year ~~2025~~ 2026 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. 183. K.S.A. 2022 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 ~~2022, 2023 and, 2024 and 2025~~. 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. 184. K.S.A. 2022 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. 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 2022~~, state fiscal year 2023 ~~or~~, state fiscal year 2024 or state fiscal year 2025; and (3) all transfers under this section shall be considered to be demand transfers from the state general fund.

Sec. 185. K.S.A. 2022 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, 2022~~, June 30, 2023, ~~or~~ June 30, 2024, or June 30, 2025. 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. 186. K.S.A. 2022 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, 2023 and, 2024 and 2025~~, 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 2022, the director of accounts and reports shall make transfers in equal amounts on July 15 and January 15 that in the aggregate equal \$1,719,264 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. 187. K.S.A. 2-223, 12-1775a and 12-5256 and K.S.A. 2022 Supp. 65-180, 74-50,107, 74-8711, 74-99b34, 75-2263, 75-6707, 76-775, 76-7,107, 79-2959, 79-2964, 79-2964, 79-3425i, 79-34,171 and 79-4804 are hereby repealed.

Sec. 188. 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. 189. *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. 190. *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. 191. *Savings.* (a) Any unencumbered balance as of June 30, 2023, 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 2024 by this or any other appropriation act of the 2023 regular session of the legislature is hereby appropriated for the fiscal year ending June 30, 2024, 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. 192. During the fiscal year ending June 30, 2024, 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 2023 regular session of the legislature are hereby appropriated for the fiscal year ending June 30, 2024, 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. 193. *Federal grants.* (a) Except as provided in subsection (c), during the fiscal year ending June 30, 2024, 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 2024 by this or other appropriation act of the 2023 regular session of the legislature is hereby appropriated for fiscal year 2024 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) Except as provided in subsection (c), 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 2024 by this act or any other appropriation act of the 2023 regular session of the legislature to apply for and receive federal grants during fiscal year 2024, 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) The provisions of this section shall not apply to section 198.

Sec. 194. (a) Any correctional institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2023 regular session of the legislature and having an unencumbered balance as of June 30, 2023, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2024, 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, 2022.

Sec. 195. (a) Any Kansas educational building fund appropriation heretofore appropriated to any institution named in this or other appropriation act of the 2023 regular session of the legislature and having an unencumbered balance as of June 30, 2023, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2024, 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, 2022.

Sec. 196. (a) Any state institutions building fund appropriation heretofore appropriated to any state agency named in this or other appropriation act of the 2023 regular session of the legislature and having an unencumbered balance as of June 30, 2023, in excess of \$100 is hereby reappropriated for the fiscal year ending June 30, 2024, 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, 2022.

Sec. 197. Any transfers of moneys during the fiscal year ending June 30, 2024, 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, 2024.

Sec. 198. During the fiscal years ending June 30, 2023, June 30, 2024, and June 30, 2025, notwithstanding the provisions of K.S.A. 75-3711a or 75-3711b, and amendments thereto, section 193 or any other statute to the contrary, in addition to the other purposes

for which expenditures may be made by any state agency that is named in this act, expenditures may be made by such state agency from moneys appropriated for fiscal year 2023, fiscal year 2024 and fiscal year 2025 by this or any other appropriation act of the 2023 or 2024 regular session of the legislature to apply for and receive federal grants during fiscal years 2023, 2024 and 2025: *Provided*, That federal grants are hereby authorized to be applied for and received by such state agencies that concern moneys from the federal government subject to the following provisions: *Provided further*, That except as provided further, no expenditure shall be made from and no obligation shall be incurred against any such federal grant or other federal receipt of discretionary state funding related to COVID-19, any other unforeseen public health emergency, or any national recession or other currently unknown national emergency during fiscal years 2023, 2024 and 2025 that has not been previously appropriated, reappropriated or approved for expenditure by the legislature until the legislature expressly consents to and approves such appropriation or expenditure by an act of the legislature: *Provided however*, That if such federal grant or receipt is a part of a continuing, existing state program that was previously appropriated, reappropriated or approved for expenditure by the legislature in fiscal year 2022 or fiscal year 2023 for such agency, then during fiscal years 2023, 2024 and 2025, such agency is authorized to expend all approved moneys lawfully credited to and available in such fund or funds during fiscal years 2023, 2024 and 2025: *And provided further*, That during fiscal years 2023, 2024 and 2025, any agency that is expending moneys as a continuing, existing program that was previously appropriated, reappropriated or approved for expenditure by the legislature in fiscal year 2022 or fiscal year 2023 shall submit a report to the senate committee on ways and means and the house of representatives committee on appropriations within 30 days of receipt of the federal grant or other federal receipt detailing the continuing, existing program, the citation to the previously appropriated, reappropriated or approved for expenditure authorization by the legislature, the total amount of such grant or receipt and the proposed expenditures from such grant or receipt.";

And by renumbering sections accordingly;

Also on page 3, in line 16, by striking "statute book" and inserting "Kansas register";

On page 1, in the title, in line 1, by striking all after "ACT"; by striking all in lines 2 through 6; in line 7, by striking "sections" and inserting "making and concerning appropriations for the fiscal years ending June 30, 2023, June 30, 2024, June 30, 2025, June 30, 2026, June 30, 2027, and June 30, 2028, 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; authorizing and directing payment of certain claims against the state; amending K.S.A. 2-223, 12-1775a and 12-5256 and K.S.A. 2022 Supp. 65-180, 74-50,107, 74-8711, 74-99b34, 75-2263, 75-6707, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171 and 79-4804 and repealing the existing sections";

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

RICK BILLINGER

J R CLAEYS

PAT PETTEY

Conferees on part of Senate

TROY WAYMASTER
 KYLE HOFFMAN
 HENRY HELGERSON

Conferees on part of House

Senator Billinger moved the Senate adopt the Conference Committee Report on **HB 2184**.

On roll call, the vote was: Yeas 24; Nays 12; Present and Passing 4; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, Petersen, Pettey, Ryckman, Shallenburger, Thompson, Warren, Wilborn.

Nays: Corson, Francisco, Holland, Holscher, O'Shea, Peck, Pittman, Pyle, Reddi, Sykes, Tyson, Ware.

Present and Passing: Faust-Goudeau, Haley, Steffen, Straub.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 42** 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 14 through 36;

By striking all on pages 2 through 340;

On page 341, by striking all in lines 1 through 18; following line 18, by inserting:

"Section 1. K.S.A. 65-6209 is hereby amended to read as follows: 65-6209. (a) A hospital provider that is a state agency, the authority, as defined in K.S.A. 76-3304, and amendments thereto, a state educational institution, as defined in K.S.A. 76-711, and amendments thereto, ~~or a critical access hospital, as defined in K.S.A. 65-468, and amendments thereto, or a rural emergency hospital licensed under the rural emergency hospital act, K.S.A. 2022 Supp. 65-481 et seq., and amendments thereto,~~ is exempt from the assessment imposed by K.S.A. 65-6208, and amendments thereto.

(b) A hospital operated by the department in the course of performing its mental health or developmental disabilities functions is exempt from the assessment imposed by K.S.A. 65-6208, and amendments thereto.

Sec. 2. K.S.A. 80-2506 is hereby amended to read as follows: 80-2506. (a) Every hospital shall be governed by a board composed of members who are qualified electors of the county where the hospital is located or of any county adjacent to such county and, if such member is a qualified elector of an adjacent county, such member shall own real property located in the territory included in the taxing district of the hospital. The board shall be composed of three, five, seven or nine members. A majority of the members of the board shall be residents of the county where the hospital is located. Whenever the number of members of a board is increased, the expiration of the terms of the members selected for the new positions on the board shall be fixed to coincide with the expiration of the terms of the members serving on the board at the time of the creation of the new positions so that not more than a simple majority of the members of the board is

selected at the same time.

(b) Upon presentation to the board of commissioners of the county ~~in which~~ where the hospital district, or the greater portion of the territory thereof, is located, of a petition requesting a change in the number of board members signed by not less than 5% of the qualified electors of the district, it shall be the duty of the board of county commissioners, at its next regular meeting, to examine the petition. The petition shall set forth the requested number of board members. If the board of county commissioners finds that the petition is sufficient and regular and in due form as is provided in this section, the board of county commissioners shall direct the county election officer of the county to prepare ballots for a special election, including ballots for that portion of the district located in any other county. The county election officers of each county shall present the question to the qualified voters of the district at the next general election in the counties, and the board of county commissioners of each county shall certify the results of the votes cast in the county to the board of county canvassers in the county ~~in which~~ where the ballots were prepared. The change in number shall become effective at the next election for board members if a majority of the qualified electors voting on the question vote in favor of the change in number of board members.

(c) Subject to the provisions of ~~subsection (b) of~~ K.S.A. 80-2508(b), and amendments thereto, members of the board of every existing hospital shall serve as members of such board for the terms for which they were selected and until their successors are selected and qualified. Except as provided by ~~subsection (a)(4) of~~ K.S.A. 80-2508(a)(4), and amendments thereto, successors to such members shall be selected to serve for a term of three years.

(d) Terms of members of the first board of any hospital established under the provisions of this act shall be as provided for in ~~subsection (b) of~~ K.S.A. 80-2504(b), and amendments thereto, and shall be staggered so that terms of not more than a simple majority of the members expire at the same time. Thereafter, except as provided by ~~subsection (a)(4) of~~ K.S.A. 80-2508(a)(4), and amendments thereto, upon the expiration of terms of members first selected, successors to such members shall be selected to serve for terms of three years.

(e) Vacancies in the membership of a board occasioned by death, removal, resignation or any reason other than expiration of a term shall be filled for the unexpired term by appointment by the chairperson of the board with the advice and consent of the remaining members of the board.

Sec. 3. K.S.A. 65-6209 and 80-2506 are hereby repealed.";

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 10; in line 11, by striking all before the period and inserting "concerning hospitals; relating to the hospital provider assessment; exempting rural emergency hospitals from such assessment; relating to the qualifications of hospital board members; requiring that a member be a qualified elector of the county where the hospital is located or a qualified elector of an adjacent county and owner of real property in the hospital taxing district and a majority of members be residents of the county where the hospital is located; amending K.S.A. 65-6209 and 80-2506 and repealing the existing sections";

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

TROY WAYMASTER
 KYLE HOFFMAN
 HENRY HELGERSON
Conferees on part of House

RICK BILLINGER
 J R CLAEYS
 PAT PETTEY
Conferees on part of Senate

Senator McGinn moved the Senate adopt the Conference Committee Report on **H Sub SB 42**.

On roll call, the vote was: Yeas 38; Nays 1; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Pyle.

Absent or Not Voting: Shallenburger.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 221** 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, in line 32, after "(e)" by inserting "An affidavit of write-in candidacy for the offices of United States senator and United States house of representatives shall be filed with the secretary of state not later than 12:00 noon on the fourth Monday preceding the election at which the write-in candidate seeks nomination or election.

(f)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 3, in line 22, by striking "which" and inserting "that"; in line 39, after "(6)" by inserting "A write-in vote for candidates for the offices of Unites States senator and United States house of representatives shall not be counted unless the candidate has filed an affidavit of candidacy pursuant to K.S.A. 25-305, and amendments thereto.

(7)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 4, following line 7, by inserting:

"(10) When a registered voter who is unaffiliated with a political party has cast a provisional partisan ballot in a primary election, the canvassers shall count the votes for those offices or issues for which an unaffiliated voter may cast a vote. The canvassers

shall not count the votes for those offices for which only a voter who is affiliated with a political party may cast a vote.

New Sec. 4. (a) The secretary of state shall be responsible for assisting and advising county election officers in conducting elections in compliance with federal and state laws and rules and regulations.

(b) Each county election officer shall be the sole public officer responsible for planning, conducting and coordinating elections held within such officer's county. Such officer shall be responsible for ensuring that all such elections comply with federal and state law and rules and regulations.

New Sec. 5. No person shall serve as a county election officer if such person has been convicted of any crime described in chapter 25 of the Kansas Statutes Annotated, and amendments thereto, or of any crime in any other jurisdiction that is substantially the same as any such crime.

New Sec. 6. (a) Except as provided in subsection (b), no county election office or any employee or agent thereof shall create, or permit any other person to create, or disclose to any person an image of the hard drive of any electronic or electromechanical voting system, optical scanning equipment or any other voting system that contains a hard drive component without the written consent of the secretary of state.

(b) Each county election officer shall create a backup copy of the hard drive of any electronic or electromechanical voting system, optical scanning equipment or any other voting system that contains a hard drive component. Such backup copies shall be created immediately prior to and immediately after any system updates, repairs or improvements and prior to and after each general election. The county election officer shall maintain such backup copies in a secured location for not less than 22 months.

Sec. 7. K.S.A. 10-120 is hereby amended to read as follows: 10-120. (a) Whenever an election is required for the issuance of bonds for any purpose by any municipality other than an irrigation district or where a different procedure for giving notice of the election is specifically provided by law, upon compliance with the legal requirements necessary and precedent to the call for the election, the proper municipal officers shall call an election. The election shall be held within ~~45~~ 60 days after compliance with the necessary requirements, or within 90 days, should the longer period include the date of a general election.

(b) Notice of the election shall be published in a newspaper of general circulation in the municipality once each week for two consecutive weeks. The first publication shall be not less than 21 days prior to the election. Notice of the election shall also be published on the website of the county election office of any county where the election is to be conducted. Such notice shall be published not less than 21 days prior to the election and shall remain on the website until the day after the election. The notice shall set forth the time and place of holding the election and the purpose for which the bonds are to be issued and shall be signed by the county election officer. The election shall be held at the usual place of holding elections and shall be conducted by the officers or persons provided by law for holding elections in the municipality.

Sec. 8. K.S.A. 15-809 is hereby amended to read as follows: 15-809. (a) Any city of the third class ~~which that~~ owns an electric light or waterworks plant, electric transmission line; or water, gas or electric distribution system may sell the same, except that the sale shall not be made until the proposition of whether to sell has been submitted to a vote of the qualified electors of the city. If a majority of the qualified

electors who vote in the election vote in favor of the sale, the governing body may dispose of the plant, transmission line or distribution system; according to the proposition voted on at the election. The proposition submitted to the electors shall contain a statement of the proposed sale price and the name of the purchaser.

(b) When the governing body of such city decides to put the proposition to a vote, the governing body shall pass an ordinance calling an election to be held within 60 days after the passage of the ordinance. The mayor shall cause a notice of the election to be published once a week for two consecutive weeks; with the first publication to be not less than 21 days preceding the election. Notice of the election shall also be published on the website of the county election office of any county where the election is to be conducted. Such notice shall be published not less than 21 days prior to the election and shall remain on the website until the day after the election. The notice shall state the purpose of the election, giving the sale price and the name of the purchaser, the date of the election, and the places of voting. The proposed purchaser shall bear all the expenses of the election.

(c) All sales shall be for cash, and the proceeds of the sale shall be applied upon the payment of any outstanding bonds or obligations incurred in the purchase, erection or improvement of the property sold. The excess, if any, shall be paid into the general fund of the city. If the city is unable to purchase the unmatured bonds issued for the purchase, erection or improvement of the property sold, the governing body may invest the money necessary to take up such bonds at maturity in investments authorized by K.S.A. 12-1675, and amendments thereto, in the manner prescribed therein or in any municipal bonds of this state, which and such bonds shall become due prior to the due date of the bonds issued for the purchase, erection or improvement of the property sold, or in government bonds or federal landbank bonds. The purchase price and proceeding of the sale shall be filed with the state corporation commission.

Sec. 9. K.S.A. 19-303 is hereby amended to read as follows: 19-303. If a vacancy in the office of county clerk should occur by death, resignation; or otherwise, the vacancy shall be filled by appointment of a qualified elector of ~~the county~~ this state in the manner ~~herein~~ provided in this section. If the vacancy occurs on or after May 1 of the second year of the term, the person so appointed shall serve for the remainder of the unexpired term and until a successor is elected and qualifies. If the vacancy occurs before May 1 of the second year of the term, the person appointed to fill the vacancy shall serve until a successor is elected and ~~qualifies~~ qualified at the next general election to serve the remainder of the unexpired term. Nomination and election of such successor shall be in the same manner as nomination and election of a county clerk for a regular term. Appointments hereunder shall be made in the manner provided by law for filling vacancies in the office of member of the house of representatives.

Sec. 10. K.S.A. 19-804 is hereby amended to read as follows: 19-804. Except in those counties operating under the provisions of consolidated law enforcement acts, whenever a vacancy occurs in the office of sheriff of any county, the undersheriff of such county shall in all things execute the office of sheriff until a sheriff shall be appointed by the governor in the manner provided by law for filling vacancies in the office of member of the house of representatives. Any individual appointed to the office of sheriff shall be a qualified elector of the county on the day such individual is sworn in as sheriff of such county. If the vacancy occurs on or after May 1 of the second year of the term, the person so appointed shall serve for the remainder of the unexpired term

and until a successor is elected and ~~qualifies~~ qualified. If the vacancy occurs before May 1 of the second year of the term, the person appointed to fill the vacancy shall serve until a successor is elected and ~~qualifies~~ qualified at the next general election to serve the remainder of the unexpired term. Nomination and election of such successor shall be in the same manner as nomination and election of a sheriff for a regular term. Any default or misfeasance in office of such undersheriff in the meantime, as well as before such vacancy, shall be deemed to be a breach of the condition of the bond given by the sheriff who appointed the undersheriff, and also a breach of the condition of the bond executed by such undersheriff to the sheriff by whom the undersheriff was appointed.

Sec. 11. K.S.A. 19-3419 is hereby amended to read as follows: 19-3419. In counties of this state having a population exceeding ~~130,000~~ 125,000, as certified to the secretary of state by the director of the division of the budget on the previous July 1 in accordance with K.S.A. 11-201, and amendments thereto, or as otherwise determined pursuant to K.S.A. 11-202, and amendments thereto, there shall be an office of commissioner of elections, ~~which that~~ shall be administered by an election commissioner. The election commissioner shall be appointed by the secretary of state and shall hold office for a term of four years and until a successor is appointed and qualified. The secretary, in consultation with the chairperson of the board of county commissioners for the county where an election commissioner is to be appointed, shall form a search committee to identify, interview and recommend to the secretary at least three candidates for the position of election commissioner. Such search committee shall include the chairperson of the board of county commissioners for such county, or a county commissioner for such county as designated by the chairperson, a representative of such county's human resources department and three representatives of the secretary of state's office. The secretary of state may remove the election commissioner for official misconduct. Upon occurrence of a vacancy in the office of county election commissioner, the secretary of state shall appoint a successor. If the vacancy occurs before the expiration of a term of office, the appointment shall be for the unexpired term. ~~Such election commissioner shall have been a qualified elector and a resident of the county at least two years prior to appointment.~~ Such election commissioner shall have been a resident of the state at least two years prior to appointment. Within 10 days after receiving official notice of the appointment and before entering upon the duties of the office, the election commissioner shall take, subscribe and cause to be filed in the office of the secretary of state an oath of office for the faithful discharge of official duties. The election commissioner shall be a resident of the county on the day such election commissioner files the oath of office.

Sec. 12. K.S.A. 19-3422 is hereby amended to read as follows: 19-3422. All the jurisdiction, powers and duties now or hereafter conferred by law upon the county clerks and city, school and township officers relating to the conduct, supervision and control of elections, are hereby withdrawn from ~~said such~~ county clerks and city, school and township officers; in all counties having a population of more than ~~one hundred thousand (100,000)~~ 125,000, as certified to the secretary of state by the director of the division of the budget on the previous July 1 in accordance with K.S.A. 11-201, and amendments thereto, or as otherwise determined pursuant to K.S.A. 11-202, and amendments thereto, and ~~the same such jurisdiction, powers and duties~~ are conferred upon the election commissioner appointed as provided in K.S.A. 19-3419; ~~and, and~~

amendments thereto. All laws of the state relating to the registration, qualification, challenging and voting of electors at any election in any such county are conferred upon and made applicable to the county election commissioner.

Sec. 13. K.S.A. 2022 Supp. 19-3424 is hereby amended to read as follows: 19-3424. (a) The election commissioner, in the conduct of elections, shall operate under the general supervision of the secretary of state and shall comply with the statutes, rules and regulations and standards and directives that relate to the registration of voters and the conduct of elections. The election commissioner shall:

(1) Establish and fix the boundaries of wards and precincts within the county and in all cities the greater part of the population of which is located in the county. The commissioner shall accept and file nomination petitions and ~~declaration papers~~ declarations of intention of candidates and declarations of party affiliation;

(2) give notice by publication in the official county paper; and on the website of the county election office of any county where the election is to be conducted. Such notice shall be published at least 15 days ~~before the holding of~~ prior to any election, except as otherwise provided by law, ~~of and shall provide~~ the time of ~~holding~~ the election, ~~and~~ the officers at that time to be chosen; and any other matters to be voted upon;

(3) publish notice giving the proper party designation if required by law, the title of each office, the names and addresses of all persons seeking national and state offices ~~and~~, as certified to the county election officer by the secretary of state, and of all persons from whom nomination ~~papers~~ petitions or declarations of intention have been filed with the election officer, giving the name and address of each, the title to the office, the day of the election, the hours during which the polls will be open and the location of the voting place in each precinct or area, and mail to all persons whose nomination petitions or ~~declaration papers~~ declarations of intention are on file with the election officer; a copy of the first issue containing the publication notice;

(4) have charge of the printing of the ballots for all elections to which this act applies held within the county, or held within any city, school district, township or drainage district located in the county. The commissioner shall conduct negotiations for the letting of the contract to print ballots and shall let the contract, with the approval of the board of county commissioners; and

(5) be the clerk of the court for the trial of contested elections except national and state elections, and all intentions to contest any election shall be filed with the election commissioner.

(b) In the administration of the office of the election commissioner, any action taken by the election commissioner shall be subject to the following provisions established by the board of county commissioners applicable to all county departments, agencies and officials:

- (1) Personnel policies and procedures;
- (2) any pay plan, compensation plan and benefits for county employees;
- (3) purchasing policies and procedures;
- (4) budgeting policies and procedures;
- (5) financial policies and procedures; and
- (6) auditing policies and procedures.

(c) Each year, consistent with the county's budgeting procedures, the election commissioner shall submit to the board of county commissioners a requested budget for the office of the election commissioner showing the amount of funding deemed

necessary to pay the costs for salaries of the election commissioner, any deputy or assistant election commissioners, and other employees of the office, together with the projected costs and expenses of the office for the next ensuing budget year. The board of county commissioners shall consider the request in the same manner as other departments and agencies of the county and shall approve and adopt a budget for the office of election commissioner within the county budget in an amount determined by the board of county commissioners to be sufficient and adequate for the performance of the duties of the office and the conduct of elections as required by law.

Sec. 14. K.S.A. 19-3439 is hereby amended to read as follows: 19-3439. Notwithstanding the provisions of any statute to the contrary, in any county ~~having a population of more than one hundred and forty thousand (140,000) and less than two hundred and twenty thousand (220,000), where an election commissioner has been appointed all ward and~~ precinct boundary lines shall be established and may be changed from time to time, exclusively by the election commissioner of any such county. No precinct shall be divided by a ward boundary line. Whenever the governing body of any city proposes to adopt an annexation ordinance, at least seven ~~(7)~~ days prior to such adoption, ~~it~~ the governing body shall notify the county election officer by transmitting a copy of the proposed ordinance to ~~him~~ such officer, together with a statement of the date the proposed ordinance, if passed, will take effect in accordance with the provisions of K.S.A. 12-523, and amendments thereto. If the county election officer is of the opinion that the date such ordinance takes effect will materially interfere with any election, ~~he~~ such officer shall so certify, stating ~~his~~ the reasons therefor, to the governing body of such city and deliver a copy of such certificate to the secretary of state. Whenever any such certificate is filed with the governing body of a city and the secretary of state, the ordinance to which it applies shall not take effect until the day after the election with which it will interfere, and if such an ordinance will materially interfere with the primary ~~state-wide~~ statewide election in the opinion of the county election officer, such ordinance shall not take effect until the day after the ~~state-wide~~ statewide general election. In the event that the governing body of any city ~~which that~~ receives a certificate under ~~this act~~ this section is aggrieved thereby because the reasons for the opinion of the county election officer are deemed incorrect or insufficient, such governing body may appeal the decision to the district court. In any such case the district court shall advance the appeal for immediate determination as the public interest may require. A copy of any such appeal shall be filed with the secretary of state at the time the appeal is made, and the secretary of state shall file a statement of position with respect to the matter in controversy with the district court.

Sec. 15. K.S.A. 25-105 is hereby amended to read as follows: 25-105. Except as otherwise provided by law, the county election officer shall cause notice of the time of the holding of any general election to be published once at least ~~15~~ 30 days before such election, ~~except in the case of special elections, when 10 days' notice shall be given.~~ Such notice shall be published in a paper or papers having circulation in such county. Notice of the election shall also be published on the website of the county election office of any county where the election is to be conducted. Such notice shall be published not less than 30 days prior to the election and shall remain on the website, until the day after the election. Such notice shall state the date and times of such election, the name of each person nominated for any public office to be voted upon and any propositions to be voted upon. If such election is not held in conjunction with

another election for which notice of voting areas and polling places has been published, the notice required by this section shall also include such information. When the names to appear on general election ballots are definitely known and ~~no not~~ later than ~~25~~ 50 days prior to any general election, the county election officer shall mail a copy of such notice to each person nominated for any public office, except candidates for president and vice president of the United States, and to judicial retention candidates.

Sec. 16. K.S.A. 25-203 is hereby amended to read as follows: 25-203. ~~(a) Except as otherwise provided in subsection (b),~~ The primary national, state, county and township election shall be held on the first Tuesday of August in even-numbered years for the nomination of all candidates to be voted for at the next following general election.

~~(b) In the year 1992, if new boundary lines are defined and districts established in the manner prescribed by law for the offices of representative in the United States congress, senator and representative in the legislature of the state of Kansas, and member of the state board of education, on or after June 13, 1992, the primary national, state, county and township election shall be held on August 25, 1992, for the nomination of all candidates to be voted for at the next following general election.~~

Sec. 17. K.S.A. 25-208a is hereby amended to read as follows: 25-208a. (a) Within 10 days, Saturdays, Sundays and holidays not included, from the date of the filing of nomination petitions or a declaration of intention to become a candidate for United States senator or representative or for state office, the secretary of state shall determine the validity of such petitions or declaration.

The secretary of state shall send a copy of all petitions to the county election officer of the county of the district in which the nomination petition was passed. The county election officer shall check the petitions only for valid signatures and certify the results of such check to the secretary of state within 10 days, including Saturdays, Sundays and holidays, of the date the petitions were filed with the secretary. The secretary of state upon receipt of the validated petition from the county election officer shall notify the candidate of the validity of the petition.

(b) Within three days from the date of the filing of nomination petitions or a declaration of intention to become a candidate for county or township office or for precinct committeeman or committeewoman, the county election officer shall determine the validity of such petitions or declaration. The county election officer shall verify the party affiliation of the candidate at the time a declaration of intention is filed to become a candidate for precinct committeeman or committeewoman.

(c) If any nomination petitions or declarations are found to be invalid, the secretary of state or the county election officer, as the case may be, shall notify the candidate on whose behalf the petitions or declaration was filed that such nomination petitions or declaration have been found to be invalid and the reason for the finding. Such candidate may make objection to the finding of invalidity by the secretary of state or the county election officer in accordance with K.S.A. 25-308, and amendments thereto.

Sec. 18. K.S.A. 25-211 is hereby amended to read as follows: 25-211. The county election officer shall, at least ~~two (2) weeks before~~ 50 days prior to the primary election, mail to each person whose name is to appear on the official ballot in such county, ~~to the address given in such papers, a copy of the first issue of the county paper containing the names and addresses and to the chairpersons of the political parties of such county a list of those candidates whose names will be printed on the national, state, county and township primary election ballots, including the office, the candidate's name, the city~~

where the candidate resides and the candidate's political party, as such information will appear on the primary election ballot. The chairman chairperson of each political party shall or any candidate may, on or before the eleventh 45th day preceding such primary election, suggest to the county election officer any changes that he may consider should be made in to the ballot applicable to his party, and, if upon examination the county election officer shall find any error or omission in said such ballot, he the county election officer shall correct the ballot and cause the same such ballot to be printed and distributed as required by law in the case of ballots for the national, state, county and township general election. The number of ballots of each party to be furnished to each precinct shall be adequate in the opinion of the county election officer.

Sec. 19. K.S.A. 25-213 is hereby amended to read as follows: 25-213. (a) At all national and state primary elections, the national and state offices as specified for each in this section shall be printed upon the official primary election ballot for national and state offices and the county and township offices as specified for each in this section shall be printed upon the official primary election ballot for county and township offices.

(b) The official primary election ballots shall have the following heading:

OFFICIAL PRIMARY ELECTION BALLOT

_____ Party

To vote for a person whose name is printed on the ballot make a cross or check mark in the square at the left of the person's name. To vote for a person whose name is not printed on the ballot, write the person's name in the blank space, if any is provided, and make a cross or check mark in the square to the left.

The words national and state or the words county and township shall appear on the line preceding the part of the form shown above.

The form shown shall be followed by the names of the persons for whom nomination petitions or declarations have been filed according to law for political parties having primary elections, and for the national and state offices in the following order: United States senator, United States representative from _____ district, governor and lieutenant governor, secretary of state, attorney general, state treasurer, commissioner of insurance, senator _____ district, representative _____ district, district judge _____ district, district magistrate judge _____ district, district attorney _____ judicial district, and member state board of education _____ district. For county and township offices the form shall be followed by the names of persons for whom nomination petitions or declarations have been filed according to law for political parties having primary elections in the following order: Commissioner ____ district, county clerk, treasurer, register of deeds, county attorney, sheriff, township trustee, township treasurer, township clerk. When any office is not to be elected, it shall be omitted from the ballot. Other offices to be elected but not listed; shall be inserted in the proper places. For each office there shall be a statement of the number to vote for.

To the left of each name there shall be printed a square. Official primary election ballots may be printed in one or more columns. The names certified by the secretary of state or county election officer shall be printed on official primary election ballots and no others. In case there are no nomination petitions or declarations on file for any particular office, the title to the office shall be printed on the ballot followed by a blank line with a square, and such title, followed by a blank line, may be printed in the list of candidates published in the official paper. No blank line shall be printed following any

office where there are nomination petitions or declarations on file for the office except following the offices of precinct committeeman and precinct committeewoman.

(c) Except as otherwise provided in this section, no person's name shall be printed more than once on either the official primary election ballot for national and state offices or the official primary election ballot for county and township offices. No name that is printed on the official primary election ballot as a candidate of a political party shall be printed or written in as a candidate for any office on the official primary election ballot of any other political party. If a person is a candidate for the unexpired term for an office, the person's name may be printed on the same ballot as a candidate for the next regular term for such office. The name of any candidate on the ballot may be printed on the same ballot as such candidate and also as a candidate for precinct committeeman or committeewoman. No name that is printed on the official primary election ballot for national and state offices shall be printed or written in elsewhere on the ballot or on the official primary election ballot for county and township offices except for precinct committeeman or committeewoman. No name that is printed on the official primary election ballot for county and township offices shall be printed or written in on the official primary election ballot for national and state offices or elsewhere on the county and township ballot except for precinct committeeman or committeewoman.

(d) No person shall be elected to the office of precinct committeeman or precinct committeewoman where no nomination petitions or declarations have been filed, unless the person receives at least five write-in votes, resides in such precinct, is a qualified elector and is a member of such party as shown by the party affiliation list maintained in the county election office. As a result of a primary election, no person shall receive the nomination and no person's name shall be printed on the official general election ballot when no nomination petitions or declarations were filed, unless the person receives votes equal in number to not less than 5% of the total of the current voter registration designated in the state, county or district in which the office is sought, as compiled by the office of the secretary of state, except that a candidate for township office may receive the nomination and have such person's name printed on the ballot where no nomination petitions or declarations have been filed if such candidate receives three or more write-in votes. No such person shall be required to obtain more than 5,000 votes.

(e) The secretary of state by rules and regulations shall develop the official ballot for municipal elections in odd-numbered year elections.

(f) A person who won the primary election as a result of the person's name being written in on the primary ballot shall have such person's name printed on the official general election ballot for national, state, county, township or municipal office, unless the person notifies, in writing, the secretary of state for national or state office or the county election office for all other offices within 10 days following the canvass of the primary election that the person does not want such person's name on the official general election ballot.

Sec. 20. K.S.A. 25-303 is hereby amended to read as follows: 25-303. (a) This section shall not apply to city and school elections, nor to election of other officers provided by law to be elected in ~~April~~ odd-numbered years.

(b) All nominations other than party nominations shall be independent nominations. No person who has declared and retains a party affiliation in accordance with K.S.A. 25-3301, and amendments thereto, shall be eligible to accept an

independent nomination for any office.

~~(c)~~ Independent nominations of candidates for any office to be filled by the voters of the state at large may be made by nomination petitions signed by not less than 5,000 qualified voters for each candidate and in the case of governor and lieutenant governor for each pair of such candidates.

~~(e)~~(d) Independent nominations of candidates for offices to be filled by the voters of a county, district or other division less than a state may be made by nomination petitions signed by voters equal in number to not less than 4% of the current total of qualified voters of such county, district or other division as compiled by the office of the secretary of state in the case of state offices and as compiled in the office of the county election officer and certified to the secretary of state in accordance with K.S.A. 25-2311, and amendments thereto, in the case of local offices, and in no case to be signed by less than 25 nor more than 5,000 qualified voters of such county, district or division, for each candidate.

~~(d)~~(e) Independent nominations of candidates for offices to be filled by the voters of a township may be made by nomination papers signed by not less than 5% of the current total of qualified voters of such township, computed as above provided, for each candidate, and in no case to be signed by less than 10 such voters of such township for each candidate.

~~(e)~~(f) The signatures to such nomination petitions need not all be appended to one paper, but each registered voter signing an independent certificate of nomination shall add to the signature such petitioner's place of residence and post office address. All signers of each separate nomination petition shall reside in the same county and election district of the office sought. The affidavit of the candidate or a petition circulator shall be appended to each petition and shall contain, at the end of each set of documents carried by each circulator or candidate, a verification, signed by the circulator or candidate, to the effect that such circulator or candidate personally witnessed the signing of the petition by each person whose name appears thereon.

~~(f)~~(g) No such nomination ~~paper~~ petition shall contain the name of a candidate for governor without in the same such ~~paper~~ petition containing the name of a candidate for lieutenant governor, and if it does it shall be void.

~~(g)~~(h) No person shall join in nominating more than one person for the same office, and if this is done, the name of such petitioner shall not be counted on any certificate.

(i) Within 20 days after receipt of an independent nominating petition, but not later than the date of the meeting of the state board of canvassers in accordance with K.S.A. 25-3205, and amendments thereto, the secretary of state shall determine the validity of such independent nominating petition. If any independent nomination petitions are found to be invalid, the secretary of state shall notify the candidate on whose behalf the independent nomination petitions were filed that such nomination petitions have been found to be invalid and the reason for such finding of invalidity. Such candidate may make objection to the finding of invalidity by the secretary of state in accordance with K.S.A. 25-308, and amendments thereto.

Sec. 21. K.S.A. 25-308 is hereby amended to read as follows: 25-308. (a) Any certificate of nomination, nomination petitions or declaration of intention to become a candidate, filed or issued in apparent conformity with law, shall be deemed to be valid unless:

- (1) ~~An objection thereto~~ is made in writing within three days from the date the

certificate, petitions or declaration is filed with or issued by the proper officers; or

(2) in the case of certificates of nomination, nomination petitions and declarations of intention to become a candidate, the secretary of state or the county election officer finds them to be invalid pursuant to K.S.A. 25-208a, and amendments thereto.

(b) If the secretary of state or the county election officer finds any certificates of nomination, nomination petitions or declaration of intention to become a candidate to be invalid pursuant to K.S.A. 25-208a, and amendments thereto, the candidate on whose behalf the certificates, petitions or declaration was filed may make objection to such finding in writing within three days of receipt by the candidate of notice of such finding.

(c) In the case of nominations of national and state officers, objections shall be filed with the secretary of state and shall be considered by the lieutenant governor, secretary of state; and attorney general, or such officer's designee, and a decision of a majority of these officers, or such officers' designees, shall be final. In the case of nominations for county, township, city and school officers, objections shall be filed with the county election officer and shall be considered by the county election officer, county attorney or district attorney and an elected official of the county whose position is not involved in the controversy, who shall be designated by the county election officer. The decision of a majority of these officers shall be final.

(d) In any case where objection is made, notice shall be given immediately, by the officer with whom the objections are filed, to the other officers required to determine the matter and to the candidates affected by such objection, addressed in the case of candidates to their places of residence as given in the nomination petitions, declaration of intention to become a candidate or certificate of nomination. The notice shall state the time when the objection will be considered. Such time shall not be more than five days following the giving of such notice in the case of nomination of a national or state officer and not be more than three days following the giving of such notice in the case of nomination of a county, township, city or school officer, and the place where such objections will be considered.

(e) The causes for objection under this section as to any office may be any of those causes listed in K.S.A. 25-1436, and amendments thereto. The officers determining any objections under this section may assess any costs arising from such determination to either the objector or objectee in accordance with the determination made. Such costs shall be paid to the secretary of state or the county election officer, as the case may be, and deposited in the treasury of the state or county to the credit of its general fund. If such costs are not paid within 10 days after being fixed, the secretary of state or county election officer shall make a certificate of the facts and file it with the clerk of the district court in the county where the person resides who must pay such costs. Such clerk of the district court shall collect such costs as in cases of collection of court costs, and when collected such costs shall be disposed of as are court costs in such district court.

(f) All mandamus proceedings to compel an officer to certify and place upon the ballot any name or names, and all injunction proceedings to restrain an officer from certifying and placing upon the ballot any name or names, must be commenced not less than ~~45~~ 60 days before the election.

Sec. 22. K.S.A. 25-321 is hereby amended to read as follows: 25-321. A person appointed to the office of state representative under the provisions of this act may hold

the office for the remainder of the term. Any person appointed to the office of senator under the provisions of this act may hold the office: (a) If the vacancy occurs prior to May 1 of the second year of the term, until the next general election, when a senator shall be elected to fill the term; or (b) if such vacancy occurs ~~after~~ on or after May 1 of the second year of the term, for the remainder of the term. In cases where the appointment of a senator is until the next general election, nomination and election of such successor shall be in the same manner as nomination and election of a senator for a regular term.

Sec. 23. K.S.A. 25-432 is hereby amended to read as follows: 25-432. An election shall not be conducted under this act unless:

(a) Conducted on a date, mutually agreed upon by the governing body of the political or taxing subdivision and the county election officer, not later than 120 days following the date the request is submitted by the political or taxing subdivision;

(b) the secretary of state approves a written plan for conduct of the election, ~~which shall include~~ including, but not limited to, a written timetable for the conduct of the election, submitted by the county election officer;

(c) the election is nonpartisan;

(d) the election is not one at which any candidate is elected, retained or recalled;

(e) the election is not held on the same date as another election in which the qualified electors of that subdivision of government are eligible to cast ballots, except this restriction shall not apply to mail ballot elections held under K.S.A. 79-2925c, and amendments thereto; and

(f) the election is a question submitted election at which all of the qualified electors of one of the following subdivisions of government are the only electors eligible to vote:

(1) Counties;

(2) cities;

(3) school districts, except in an election held pursuant to K.S.A. 72-635 et seq., and amendments thereto;

(4) townships;

(5) benefit districts organized under K.S.A. 31-301, and amendments thereto;

(6) cemetery districts organized under K.S.A. 15-1013 or 17-1330, and amendments thereto;

~~(7) combined sewer districts organized under K.S.A. 19-27,169, and amendments thereto;~~

~~(8)~~ community college districts organized under K.S.A. 71-1101 et seq., and amendments thereto;

~~(9)~~(8) fire districts organized under K.S.A. 19-3601 or 80-1512, and amendments thereto;

~~(10)~~(9) hospital districts;

~~(11)~~(10) improvement districts organized under K.S.A. 19-2753, and amendments thereto;

~~(12)~~(11) Johnson county park and recreation district organized under K.S.A. 19-2859, and amendments thereto;

~~(13)~~ sewage disposal districts organized under K.S.A. 19-27,140, and amendments thereto;

~~(14)~~(12) water districts organized under K.S.A. 19-3501 et seq., and amendments

thereto;

~~(15)~~(13) transportation development districts created pursuant to K.S.A. 2022 Supp. 12-17,140 et seq., and amendments thereto; or

~~(16)~~(14) any tract of land annexed pursuant to K.S.A. 12-521, and amendments thereto.

Sec. 24. K.S.A. 25-433 is hereby amended to read as follows: 25-433. (a) The county election officer shall mail all official ballots with a return identification envelope and instructions sufficient to describe the voting process to each elector entitled to vote in the election on one date not sooner than the 20th day before the date of the election and not later than the 10th day before the date of the election. Ballots mailed by the county election officer shall be addressed to the address of each elector appearing in the registration records, and placed in an envelope ~~which that~~ is prominently marked "Do Not Forward." Ballots shall not be mailed to any inactive voter who, based on information provided by the postal service, appears to have moved to a residence address outside the county in which the voter is currently registered and who has been mailed a confirmation notice as described in ~~subparagraph (4) of subsection (e) of~~ K.S.A. 25-2316c~~(e)~~(4), and amendments thereto, or because a "Forwarding Order Expired" or "Moved — No Forwarding Address" notice was received from the post office. Any inactive voter who believes such voter is entitled to vote in the election may request a replacement ballot as provided for in subsection (d) of this section.

(b) Upon receipt of the ballot the elector shall mark it, sign the return identification envelope supplied with the ballot and comply with the instructions provided with the ballot. The elector may return the marked ballot to the county election officer by United States mail, if it is received by the county election officer by the date of the election, or personally deliver the ballot to the office of the county election officer before noon on the date of the election. The ballot shall be returned in the return identification envelope. The county election officer shall provide for the payment of postage for the return of ballot envelopes.

(c) The return identification envelope shall contain the following form:

I declare under penalty of election perjury, a felony, that I am a resident and a qualified voter for this election as shown on voter registration records and that I have voted the enclosed ballot and am returning it in compliance with Kansas law, and amendments thereto, and have not and will not vote more than one ballot in this election.

I also understand that failure to complete the information below will invalidate my ballot.

Signature

Residence Address

(d) If the ballot is destroyed, spoiled, lost or not received by the elector, the elector may obtain a replacement ballot from the county election officer as provided in this subsection. An elector seeking a replacement ballot shall sign a statement verified on oath or affirmation, on a form prescribed by the secretary of state, that the ballot was destroyed, spoiled, lost or not received. The applicant shall deliver the statement to the county election officer before noon on the date of the election. The applicant may mail the statement to the county election officer, except a county election officer shall not

transmit a ballot by mail under this subsection unless the application is received prior to the close of business on the second day prior to the election. When an application is timely received under this subsection, the county election officer shall deliver the ballot to the voter if the voter is present in the office of the county election officer, or promptly transmit the ballot by mail to the voter at the address contained in the application, except when prohibited in this subsection. The county election officer shall keep a record of each replacement ballot provided under this subsection.

(e) A ballot shall be counted only if: (1) It is returned in the return identification envelope; (2) the envelope is signed by the elector to whom the ballot is issued; and (3) the signature has been verified as provided in this subsection. The county election officer shall verify the signature of each elector on the return identification envelope with the signature on the elector's registration records and may commence verification at any time prior to the canvass of the election. The county election officer shall attempt to contact each person who submits a mail ballot if there is no signature or the signature does not match with the signature on file and allow such elector the opportunity to correct the deficiency before the commencement of the county canvass. Verification of the voter's signature shall not be required if the voter has a disability preventing the voter from signing the ballot or preventing the voter from having a signature consistent with such voter's registration form. Signature verification may occur by electronic device or human inspection. If the county election officer determines that an elector to whom a replacement ballot has been issued under subsection (d) has voted more than once, the county election officer shall not count any ballot cast by that elector.

(f) The county election officer shall supervise the procedures for the handling and canvassing of ballots to insure the safety and confidentiality of all ballots properly cast.

(g) The names of voters whose mail ballot envelopes are returned to the county election officer as "undeliverable" shall be subject to removal from the voter registration book and party affiliation list in the manner provided in ~~subsection (d) of~~ K.S.A. 25-2316c(d), and amendments thereto.

Sec. 25. K.S.A. 25-604 is hereby amended to read as follows: 25-604. (a) ~~Except as otherwise provided in subsection (b),~~ The county election officers shall have charge of the printing of the ballots for all elections, primary, special and general.

~~(b) The secretary of state may provide for the printing of all or any portion of the ballots for a presidential preference primary election. The secretary of state shall determine, with the advice of the director of printing, the most efficient manner in which to print ballots for a presidential preference primary election for any county in the state of Kansas.~~

~~(e)~~ Nothing in this subsection shall apply to the printing of ballot labels for use on voting machines.

(c) The ballots shall be printed on paper of sufficient strength as not to be punctured by ordinary pencil marking. Ballots shall be put in the possession of the county election officer at least five days before the election, accompanied by sufficient number, not to exceed 50 for each precinct or area, of exact copies of such ballots, printed on paper of any color, except white, as authorized by rules and regulations adopted by the secretary of state, for the inspection of candidates and ~~their~~ agents of the candidates and for distribution through each of the party organizations. If any mistakes are discovered they shall be corrected without delay. County election officers may also obtain and distribute ballots or lists of candidates and other questions to be voted upon

on paper of any color authorized by rules and regulations adopted by the secretary of state stamped "SAMPLE BALLOT" in large letters, and these ballots, lists of candidates and other questions to be voted upon shall be used for educational purposes and the distribution shall be for such purpose. The county election officers shall cause to be delivered to the supervising judges, not less than 12 hours before the time fixed by law for the opening of the polls, a number of properly printed ballots fully sufficient to meet the demands and needs of all the voters. Such ballots shall be put in separate sealed packages of 25, 50 or 100 ballots each, with marks on the outside clearly designating the voting place for which they are intended and the number of ballots enclosed. The county election officer shall retain at the county election office an additional supply of ballots to meet any emergency need for such ballots that might arise from loss or destruction of ballots, enlarged vote or any other legitimate cause. The county election officer may make a charge for all sample ballots, lists and materials distributed in an amount not to exceed the actual cost of the materials, printing and the distribution thereof.

Sec. 26. K.S.A. 25-901 is hereby amended to read as follows: 25-901. (a) Every committee, club, organization, municipality or association designed to promote or engaged in promoting the success or defeat of any party or the election or defeat of any candidate or candidates for any city of the second and third class, unified school district, except unified school districts having 35,000 or more pupils students regularly enrolled in the preceding school year, any community college or township office; or the adoption or defeat of any question submitted at any city, unified school district, community college, township or county election, shall have a treasurer, and shall cause to be kept a detailed account of all moneys or property or other thing of value received by it, and of the manner in which the same shall be expended; ~~and. Such committee, club, organization, municipality or association~~ shall file annually with the county election officer of the county in which such committee, club, organization, municipality or association has its headquarters a statement of all its receipts and expenditures, showing in detail from whom such moneys or property or other thing of value were received, to whom such moneys or property or other thing of value were paid, for what specific purposes each payment was made, and the exact nature of the service rendered in consideration thereof.

(b) ~~The annual statement herein required shall be filed on or before December 31; such statement and shall cover the period ending on December 1 immediately preceding. The accounts of the state committee of each political party shall be audited annually by a certified public accountant and a copy of the audit filed with the secretary of state.~~

(c) This section and K.S.A. 25-905, and amendments thereto, shall not be construed to require any committee, club, organization, municipality or association ~~which that~~ is subject to the campaign finance act ~~(, K.S.A. 25-4101 et seq.), and amendments thereto,~~ to file reports required by this act.

Sec. 27. K.S.A. 25-1115 is hereby amended to read as follows: 25-1115. (a) "General election" means the elections held on the Tuesday following the first Monday in November of both even-numbered and odd-numbered years, and in the case of ~~special elections~~ an election of any officers to fill vacancies held on a date other than the Tuesday following the first Monday in November, the election at which any such officer is finally elected.

(b) "Primary election" means the elections held on the first Tuesday in August of both even-numbered and odd-numbered years; and any other preliminary election held on a date other than the first Tuesday in August at which part of the candidates for ~~special~~ election to any national, state, county, city, school or other municipal office are eliminated by the process of the election but at which no officer is finally elected.

(c) "Special election" means any election that is not a general or primary election, including, but not limited to, any mail ballot election conducted pursuant to K.S.A. 25-431 et seq., and amendments thereto. A special election shall not be held within 45 days of a general or primary election but may be held on the same day as a general or primary election.

Sec. 28. K.S.A. 25-1122 is hereby amended to read as follows: 25-1122. (a) Any registered voter may file with the county election officer where ~~the~~ such person is a resident, or where ~~the~~ such person is authorized by law to vote as a former precinct resident, an application for an advance voting ballot. The signed application shall be transmitted only to the county election officer by personal delivery, mail, facsimile or as otherwise provided by law.

(b) If the registered voter is applying for an advance voting ballot to be transmitted in person, the voter shall provide identification pursuant to K.S.A. 25-2908, and amendments thereto.

(c) If the registered voter is applying for an advance voting ballot to be transmitted by mail, the voter shall provide with the application for an advance voting ballot the voter's current and valid Kansas driver's license number, nondriver's identification card number or a photocopy of any other identification provided by K.S.A. 25-2908, and amendments thereto.

(d) A voter may vote a provisional ballot according to K.S.A. 25-409, and amendments thereto, if:

(1) The voter is unable or refuses to provide current and valid identification; or

(2) the name and address of the voter provided on the application for an advance voting ballot do not match the voter's name and address on the registration book. The voter shall provide a valid form of identification as defined in K.S.A. 25-2908, and amendments thereto, to the county election officer in person or provide a copy by mail or electronic means before the meeting of the county board of canvassers. At the meeting of the county board of canvassers the county election officer shall present copies of identification received from provisional voters and the corresponding provisional ballots. If the county board of canvassers determines that a voter's identification is valid and the provisional ballot was properly cast, the ballot shall be counted.

(e) No county election officer shall provide an advance voting ballot to a person who is requesting an advance voting ballot to be transmitted by mail unless:

(1) The county election official verifies that the signature of the person matches that on file in the county voter registration records, except that verification of the voter's signature shall not be required if a voter has a disability preventing the voter from signing. Signature verification may occur by electronic device or by human inspection. In the event that the signature of a person who is requesting an advance voting ballot does not match that on file, the county election officer shall attempt to contact the person and shall offer the person another opportunity to provide the person's signature for the purposes of verifying the person's identity. If the county election officer is

unable to reach the person, the county election officer may transmit a provisional ballot, however, such provisional ballot may not be counted unless a signature is included therewith that can be verified; and

(2) the person provides such person's full Kansas driver's license number, Kansas nondriver's identification card number issued by the division of vehicles, or submits such person's application for an advance voting ballot and a copy of identification provided by K.S.A. 25-2908, and amendments thereto, to the county election officer for verification. If a person applies for an advance voting ballot to be transmitted by mail but fails to provide identification pursuant to this subsection or the identification of the person cannot be verified by the county election officer, the county election officer shall provide information to the person regarding the voter rights provisions of subsection (d) and shall provide the person an opportunity to provide identification pursuant to this subsection. For the purposes of this act, Kansas state offices and offices of any subdivision of the state will allow any person seeking to vote by an advance voting ballot the use of a photocopying device to make one photocopy of an identification document at no cost.

(f) Applications for advance voting ballots to be transmitted to the voter by mail shall be filed only at the following times:

(1) For the primary election occurring on the first Tuesday in August in both even-numbered and odd-numbered years, between April 1 of such year and the Tuesday of the week preceding such primary election.

(2) For the general election occurring on the Tuesday following the first Monday in November in both even-numbered and odd-numbered years, between 90 days prior to such election and the Tuesday of the week preceding such general election.

(3) For question submitted elections occurring on the date of a primary or general election, the same as is provided for ballots for election of officers at such election.

(4) For question submitted elections not occurring on the date of a primary or general election, between the time of the first published notice thereof and the Tuesday of the week preceding such question submitted election, except that if the question submitted election is held on a day other than a Tuesday, the final date for mailing of advance voting ballots shall be one week before such election.

(5) For any special election of officers, at such time as is specified by the secretary of state.

The county election officer of any county may receive applications prior to the time specified in this subsection and hold such applications until the beginning of the prescribed application period. Such applications shall be treated as filed on that date.

(g) Unless an earlier date is designated by the county election office, applications for advance voting ballots transmitted to the voter in person ~~in the office of the county election officer~~ shall be filed on the Tuesday next preceding the election and on each subsequent business day until no later than 12 noon on the day preceding such election. If the county election officer so provides, applications for advance voting ballots transmitted to the voter in person in the office of the county election officer also may be filed on the Saturday preceding the election. Upon receipt of any such properly executed application, the county election officer shall deliver to the voter such ballots and instructions as are provided for in this act.

An application for an advance voting ballot filed by a voter who has a temporary illness or disability or who is not proficient in reading the English language or by a

person rendering assistance to such voter may be filed during the regular advance ballot application periods until the close of the polls on election day.

The county election officer may designate places other than the central county election office as satellite advance voting sites. At any satellite advance voting site, a registered voter may obtain an application for advance voting ballots. Ballots and instructions shall be delivered to the voter in the same manner and subject to the same limitations as otherwise provided by this subsection.

(h) Any person having a permanent disability or an illness that has been diagnosed as a permanent illness is hereby authorized to make an application for permanent advance voting status. Applications for permanent advance voting status shall be in the form and contain such information as is required for application for advance voting ballots and also shall contain information that establishes the voter's right to permanent advance voting status.

(i) On receipt of any application filed under the provisions of this section, the county election officer shall prepare and maintain in such officer's office a list of the names of all persons who have filed such applications, together with their correct post office address and the precinct, ward, township or voting area in which the persons claim to be registered voters or to be authorized by law to vote as former precinct residents and the present resident address of each applicant. Names and addresses shall remain so listed until the day of such election. The county election officer shall maintain a separate listing of the names and addresses of persons qualifying for permanent advance voting status. All such lists shall be available for inspection upon request in compliance with this subsection by any registered voter during regular business hours. The county election officer upon receipt of the applications shall enter upon a record kept by such officer the name and address of each applicant, which record shall conform to the list above required. Before inspection of any advance voting ballot application list, the person desiring to make the inspection shall provide to the county election officer identification in the form of driver's license or other reliable identification and shall sign a log book or application form maintained by the officer stating the person's name and address and showing the date and time of inspection. All records made by the county election officer shall be subject to public inspection, except that the voter identification information required by subsections (b) and (c) and the identifying number on ballots and ballot envelopes and records of such numbers shall not be made public.

(j) If a person on the permanent advance voting list fails to vote in four consecutive general elections ~~held on the Tuesday succeeding the first Monday in November of each even-numbered and odd-numbered year~~, the county election officer may mail a notice to such voter. The notice shall inform the voter that the voter's name will be removed from the permanent advance voting list unless the voter renews the application for permanent advance voting status within 30 days after the notice is mailed. If the voter fails to renew such application, the county election officer shall remove the voter's name from the permanent advance voting list. Failure to renew the application for permanent advance voting status shall not result in removal of the voter's name from the voter registration list.

(k) (1) Any person who solicits by mail a registered voter to file an application for an advance voting ballot and includes an application for an advance voting ballot in such mailing shall include on the exterior of such mailing, and on each page contained

therein, except the application, a clear and conspicuous label in 14-point font or larger that includes:

(A) The name of the individual or organization that caused such solicitation to be mailed;

(B) if an organization, the name of the president, chief executive officer or executive director of such organization;

(C) the address of such individual or organization; and

(D) the following statement: "Disclosure: This is not a government mailing. It is from a private individual or organization."

(2) The application for an advance voting ballot included in such mailing shall be the official application for advance ballot by mail provided by the secretary of state. No portion of such application shall be completed prior to mailing such application to the registered voter.

(3) An application for an advance voting ballot shall include an envelope addressed to the appropriate county election office for the mailing of such application. In no case shall the person who mails the application to the voter direct that the completed application be returned to such person.

(4) 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.

(5) A violation of this subsection is a class C nonperson misdemeanor.

(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) A county election officer shall not mail a ballot to a voter unless such voter has submitted an application for an advance voting ballot, except that a ballot may be mailed to a voter if such voter has permanent advance voting ballot status pursuant to subsection (h) or if the election is conducted pursuant to the mail ballot election act, K.S.A. 25-431 et seq., and amendments thereto.

(n) The secretary of state may adopt rules and regulations in order to implement the provisions of this section and to define valid forms of identification.

Sec. 29. K.S.A. 25-1214 is hereby amended to read as follows: 25-1214. As used in this act: (a) "Federal act" means the uniformed and overseas citizens absentee voting act (42 U.S.C. § 1973ff et seq.), 52 U.S.C. § 20301 et seq.

(b) (1) "Persons in federal services" means:

(1)(A) Members of the armed forces of the United States, while in the active

service, and their spouses and dependents;

~~(2)(B)~~ members of the merchant marine of the United States and their spouses and dependents; and

~~(3)(C)~~ citizens of the United States residing outside the territorial limits of the United States and the District of Columbia and their spouses and dependents when residing with or accompanying them.

(2) Persons in federal service does not include any person who has failed to respond to a selective service call as certified by the local draft board to the county election officer or who is a deserter from any United States military service.

Sec. 30. K.S.A. 25-1903 is hereby amended to read as follows: 25-1903. (a) A person may become a candidate for election to the office of state board member by either one of the methods provided in this section.

(1) Any person who is an elector of any board member district may petition to be a candidate for member of the state board from the board member district in which such person resides. Any such person shall file with the secretary of state a petition for the candidacy of such person signed by not less than 200 electors residing in such board member district.

(2) Any person who is an elector of any board member district may become a candidate for member of the state board from the board member district in which such candidate resides by filing in the office of the secretary of state a declaration of intent to be such a candidate and payment of a filing fee in the amount of \$25.

(b) Any such petition or declaration of ~~intent~~ intention filed by a candidate to run in the primary election held in accordance with K.S.A. 25-203, and amendments thereto, shall be filed no later than 12:00 noon, June ~~10~~ 1, prior to such primary election, or if such date falls on Saturday, Sunday or a holiday, then before 12:00 noon of the next following day that is not a Saturday, Sunday or a holiday. Any such petition or declaration of ~~intent~~ intention filed by an independent candidate for the office of state board member shall be filed no later than 12:00 noon on the Monday preceding the date fixed for the holding of primary elections in accordance with K.S.A. 25-203, and amendments thereto.

Sec. 31. K.S.A. 25-2005 is hereby amended to read as follows: 25-2005. (a) "School district" means all of a school district or all of its territory.

(b) ~~"Plan of change" means a specific proposal to change the voting plan or the method of election, or both, in a school district.~~

(c)—"Voting plan" means one of the three voting plans described in this act. "Voting plan-A" is election at large in both primary and general elections. "Voting plan-B" is voting by a district method in the primary and by election at large in the general election. "Voting plan-C" is voting by a district method in both the primary and general elections.

Sec. 32. K.S.A. 25-2008 is hereby amended to read as follows: 25-2008. (a) "School office" or "school officer" means members of the governing body of any school district.

(b) "State board" means ~~the state superintendent of public instruction until that office is abolished and thereafter the constitutional~~ state board of education.

Sec. 33. K.S.A. 25-2018 is hereby amended to read as follows: 25-2018. (a) Notices of board member elections and question submitted elections of a school district shall be made as provided in this section.

(b) On or before June 10 of odd-numbered years, the county election officer shall publish a notice of election one time in a newspaper having general circulation in the school district. Notice of the election shall also be published on the website of the county election office of any county where the election is to be conducted. Such notice shall remain on the website until the day after the election. The notice for board member elections shall state: (1) The name of the school district; (2) the date of the general election; (3) the date of the primary election if one is held; (4) the filing deadline and the place of filing; and (5) the offices or positions to be filled.

(c) All notices provided for by this section shall be given in the form prescribed by the secretary of state to the extent that any notice or part thereof is prescribed by the secretary of state. The provisions of this section shall not be construed to require the secretary of state to prescribe any particular form.

(d) On or before June 10 of each odd-numbered year, a notice of primary elections shall be published by the county election officer one time in a newspaper having general circulation in the school district, if a primary election is required to be held. Notice of the election shall also be published on the website of the county election office of any county where the election is to be conducted. Such notice shall remain on the website until the day after the election. ~~The publication shall be made one time and notice~~ shall state: (1) The name of the school district; (2) the date of the primary election; (3) the names of the candidates and the office or position for which each is a candidate; (4) the voting place or places and the area each voting place is to serve; and (5) the times of opening and closing of the polls. Description of areas shall be in the terms determined by the county election officer.

(e) On or before September 1 of each odd-numbered year, a notice of the general election shall be published by the county election officer one time in a newspaper having general circulation in the school district. Notice of the election shall also be published on the website of the county election office of any county where the election is to be conducted. Such notice shall be published not less than 21 days prior to the election and shall remain on the website until the day after the election. The notice shall state: (1) The name of the school district; (2) the date of the general election; (3) the names of the candidates and the office or position for which each is a candidate; (4) the voting place or places and the area each voting place is to serve; and (5) the time of opening and closing of polls. Description of areas shall be in such terms as may be determined by the county election officer.

(f) Notice of any question submitted election of any school district shall be made in the manner provided by K.S.A. 10-120, and amendments thereto. The notice shall state: (1) the name of the school district; (2) the date of the election; (3) the amount of bonds to be issued, if a bond election; (4) the proposition to be voted upon; (5) the hours of opening and closing of the polls; (6) the voting place or places and the area each voting place is to serve; and (7) any other information specifically required by law. Description of areas shall be in the terms determined by the county election officer.

Sec. 34. K.S.A. 25-2021 is hereby amended to read as follows: 25-2021. (a) In school districts in which a member district method of election is in effect, if there are more than three qualified candidates for any member position in any member district, the county election officer shall call, and there shall be held, a primary election in each such member district. The names of the two candidates receiving the greatest number of votes for any member position at the primary election shall appear on the ballots in the

general election. If there are three or fewer qualified candidates for any member position, there shall not be a primary election and the names of the candidates shall be placed on the ballots in the general election.

(b) In school districts in which the election at large method of election is in effect, if there are more than three times the number of candidates as there are board members to be elected, the county election officer shall call, and there shall be held, a primary election. The names of twice the number of candidates as there are board members to be elected who received the greatest number of votes at the primary election shall appear on the ballots in the general election. If there are not more than three times the number of candidates as there are board members to be elected, there shall not be a primary election and the names of the candidates shall be placed on the ballots in the general election.

(c) If a member is to be elected to fill an unexpired term, the office shall be listed separately on the ballots. If there are more than three candidates for such unexpired term, the county election officer shall call, and there shall be held, a primary election. The names of the two candidates for such unexpired term receiving the greatest number of votes shall appear on the ballots in the general election. If there are three or fewer qualified candidates for the unexpired term of any member position, there shall not be a primary election and the names of the candidates shall be placed on the ballots in the general election.

(d) On the ballots in general school elections, blank lines for the names of write-in candidates shall be printed at the end of the list of candidates for each different office. The number of blank lines for such elected office shall be equal to the number to be elected thereto. The purpose of such blank lines shall be to permit the voter to insert the name of any person not printed on the ballot who is a qualified elector residing in the district for whom such voter desires to vote for such office. No lines for write-in candidates shall appear on primary school election ballots.

Sec. 35. K.S.A. 25-21a02 is hereby amended to read as follows: 25-21a02. ~~(a) The secretary of state shall develop a public information program to inform the public generally of changes made as a result of moving spring elections to fall elections. Such public information program shall include, at a minimum, the explanation of which public office elections are being transferred from spring to fall elections. The program shall include the use of advertisements and public service announcements as well as posting of information on the opening pages of the official internet websites of the secretary of state and county election officers. The secretary of state and county election officers shall develop dedicated websites to provide voter education and sample ballots for elections.~~

~~(b) The county election officers in consultation with the secretary of state shall develop ways to reduce the ballot length and expedite the voting process on election days.~~

Sec. 36. K.S.A. 25-2310 is hereby amended to read as follows: 25-2310. County election officers shall ~~cause publication,~~ publish notice of places and dates for registration and the closing thereof before each election in a newspaper having general circulation in the county ~~of the county election officer, of a notice of places and dates for registration and the closing thereof before each election. Such notice shall also be published on the website of the county election office of any county where the election is to be conducted. Such notice shall remain on the website until the day after the~~

registration closes. Such notice also shall give information for registration by mail. Such notice shall be given in such form and at such time or times as is specified by rules and regulations of the secretary of state.

Sec. 37. K.S.A. 25-2502 is hereby amended to read as follows: 25-2502. (a) "General election" means the elections held on the Tuesday following the first Monday in November of both even-numbered and odd-numbered years, and in the case of ~~special elections~~ an election of any officers to fill vacancies held on a date other than the Tuesday following the first Monday in November, the election at which any such officer is finally elected.

(b) "Primary election" means the elections held on the first Tuesday in August of both even-numbered and odd-numbered years; and any other preliminary election held on a date other than the first Tuesday in August at which part of the candidates for ~~special~~ election to any national, state, county, township, city, school or other municipal office are eliminated by the process of the election but at which no officer is finally elected.

(c) "Special election" means any election that is not a general or primary election, including, but not limited to, any mail ballot election conducted pursuant to K.S.A. 25-431 et seq., and amendments thereto. A special election shall not be held within 45 days of a general or primary election but may be held on the same day as a general or primary election.

Sec. 38. K.S.A. 25-2507 is hereby amended to read as follows: 25-2507. (a) "Poll book" means a book in which each voter may sign the voter's signature and a number is assigned by one of the clerks of the election board when the voter is given a ballot or set of ballots. If the county election officer determines that voters shall sign the poll book, such book shall also contain on each page the declaration prescribed by subsection (d).

(b) "Registration book" means:

(1) A book or list containing the names and other information relating to registered voters. Registration books shall have the names entered therein before the same or copies thereof are delivered to the supervising judges. Registration books may also contain blank lines on which each voter shall sign the voter's signature. If the county election officer determines that voters shall sign the registration book, such book shall also contain on each page the declaration prescribed by subsection (d); or

(2) a book meeting the requirements of ~~K.S.A. 25-2507(b)(1), and amendments thereto; paragraph (1), and~~ containing:

(A) ~~Blank lines on which each voter shall sign the voter's signature; containing on each page~~

(B) the declaration prescribed by subsection (d) on each page of the book; and containing

(C) the numbers assigned by one of the clerks of the election board when voters are given ballots or sets of ballots.

(c) "Party affiliation lists" means a list containing the names of all registered voters of a county who have lawfully designated a party affiliation.

(d) "Declaration" means the following: "I, the undersigned, declare under penalty of perjury that I am a registered voter in the state of Kansas, county of _____, that I have not signed a name other than my own in order to represent myself as any other registered voter, and that I am qualified to vote and have not previously voted and will not vote again in the election held on this date, in this or any other jurisdiction in the

United States, for any offices or ballot issues."

(e) "Abstract" means a list of election results for a particular precinct or district with the total votes for each candidate for elected office or the total votes for and against any constitutional amendment or question presented on the ballot.

Sec. 39. K.S.A. 25-26a03 is hereby amended to read as follows: 25-26a03. (a) Notwithstanding any other law or provisions to the contrary, no election precinct shall be created, divided, abolished or consolidated or the boundaries thereof changed:

(1) During the period four months prior to each primary election and the succeeding general election; or

(2) between January 1 of a year the last digit of which is ~~8~~ and ~~December 1~~ of a year the last digit of which is ~~0~~, and from and after January 1, 1993, between January 1 of a year the last digit of which is 7_0 and the time when the legislature has been redistricted in a year the last digit of which is 2, except in the following cases:

~~(a) (1)(A)~~ If required by the creation of a political subdivision, new precincts may be created.

~~(2)(B)~~ If there is an alteration of a political subdivision by annexation, new precincts may be created.

~~(3)(C)~~ If a political subdivision annexes an area adjacent to the political subdivision boundary, the annexed area may be included in a precinct immediately adjacent to it, if the annexed area is in the same legislative district.

~~(4)(D)~~ A municipality or county election officer may establish new election precincts lying entirely within the boundaries of any existing precinct and shall designate the new precincts by name or number, or a combination of name and number, ~~which shall include~~ including the designated name or number of the former precinct.

~~(5)(E)~~ If required to conform and coincide with a federal census block boundary established by the federal bureau of the census, a county election officer may change precinct boundaries.

(b) When necessary to comply with the provisions of this act, not less than 45 days after the legislature has been redistricted, or by June ~~10_1~~ in a year the last digit of which is 2_1 whichever occurs first, precinct boundaries shall be reestablished.

Sec. 40. K.S.A. 25-2702 is hereby amended to read as follows: 25-2702. The county election officer may establish more than one precinct in any township or divide any township into precincts. Such division shall be made by a declaration made at least ~~ninety (90)~~ days before any county or state primary or general election, ~~and~~ Notice of such division, showing the boundaries of each precinct, shall be published once each week for three ~~(3)~~ consecutive weeks in a newspaper of general circulation in the county in which such township is located. Notice of the election shall also be published on the website of the county election office of any county where the election is to be conducted. A division once made shall remain the same until changed by subsequent declaration and publication notice as herein required. Upon making such division into precincts, the county election officer shall designate the boundaries of each precinct. A voter shall not be eligible to vote at any national, state, county or township election in any voting area other than the one in which ~~he or she~~ such voter resides.

Sec. 41. K.S.A. 25-2704 is hereby amended to read as follows: 25-2704. (a) The county election officer shall provide ballot boxes for each voting place. The secretary of state may adopt rules and regulations authorizing, in certain cases, additional or fewer ballot boxes than specified in subsection (b) ~~of this section~~ to be supplied.

(b) Unless otherwise provided by rules and regulations adopted ~~under this section~~ by the secretary of state, a separate ballot box shall be provided for each of the types of ballots named in the following list, if such ballots are to be voted at the election:

- (1) A box for "national and state ballots";
- (2) a box for "county and township ballots";
- (3) a box for "judicial ballots";
- (4) a box for "city ballots";
- (5) a box for "school ballots";
- (6) a box for "ballots for constitutional amendments"; and
- (7) a box for "questions submitted."

(c) Each ballot box shall be labeled according to its appropriate designation as set out ~~in quotation marks in subsection (b) of this section.~~

(d) The provisions of this section shall only apply to elections conducted in counties that do not use tabulators or optical scanners to count votes.

Sec. 42. K.S.A. 25-2705 is hereby amended to read as follows: 25-2705. (a) At the time that the a voting place is opened, the supervising judge shall cause the ballot boxes to be opened in the presence of people there assembled. The ballot boxes shall be turned upside down so as to empty them such boxes of everything therein, and the same. Each ballot box shall then be locked securely and shall not be opened again until opened for the purpose of canvassing.

(b) The provisions of this section shall only apply to elections conducted in counties that do not use tabulators or optical scanners to count votes.

Sec. 43. K.S.A. 25-2706 is hereby amended to read as follows: 25-2706. (a) The county election officer shall prepare and furnish copies of all registrations and all books, maps, instructions and blanks needed for the use and guidance of election boards and voters. County election officers may adopt such rules and regulations for elections as may be needed and not in conflict with state law or rules and regulations. Such rules and regulations shall be submitted to the secretary of state for approval.

(b) The county election officer shall furnish printed instructions to election boards; ~~defining their duties of such officers~~ and the law governing elections.

(c) (1) The county election officer shall furnish and publish on the website of the county election office:

- (A) Printed instructions to voters;
- (B) a list of voters' rights and responsibilities;
- (C) a sample ballot;
- (D) notification of the date of the election; and
- (E) the polling place hours.

(2) Each of the items in paragraph (1) shall be posted in every voting place at every election.

(3) Wherever the secretary of state deems it advisable, all items listed in ~~subsection (c) paragraph (1)~~ shall be printed in English and in a language or languages other than English.

(d) The secretary of state shall specify the form and contents of instructions to voters, list of voters' rights and responsibilities and instructions to election boards. Such specifications shall be transmitted to county election officers and may be changed from time to time by the secretary of state.

Sec. 44. K.S.A. 25-2805 is hereby amended to read as follows: 25-2805. If any

judges or clerks shall fail or refuse to appear and serve at the proper time and place, or for any cause are or become disqualified, then the electors present shall promptly notify the county election officer thereof. The county election officer shall appoint such person as ~~he such officer~~ may select to fill any such vacancy. ~~If such a vacancy continues for more than one hour after notice to the county election officer, the electors present may select from their number, viva voce, judges and clerks to fill such vacancies.~~

Sec. 45. K.S.A. 25-2812 is hereby amended to read as follows: 25-2812. ~~From and after January 1, 2010-~~ (a) Not less than 60 days before any election, the county election officer may contact the administrator or operator at each nursing facility, assisted living facility and ~~hospital-based~~ hospital-based long-term care unit to request that the registered voters in ~~the such~~ facility be offered the opportunity to vote in such election according to the procedures outlined in this section. If the administrator or operator of the facility agrees, the county election officer and the administrator or operator shall establish a date, mutually agreed upon, for such voting to take place. The provisions of this section shall not apply to mail ballot elections conducted pursuant to K.S.A. 25-431 et seq., and amendments thereto.

(b) The county election officer shall appoint a special election board of two or more members to administer ballots to registered voters who are residents of any facility designated in subsection (a) and ~~which that~~ has agreed to participate. The members of such special election board shall be appointed and trained by the county election officer in the same manner as members of election boards serving in polling places on election day. The members of a special election board shall possess the qualifications of registered voters in Kansas and in the county where ~~they such members~~ serve and shall subscribe the oath prescribed by law. The members of the board shall not all be affiliated with the same political party, to the extent practicable, and shall not be candidates for any offices, other than the offices of precinct committeemen or precinct committeewomen, to be elected in the election at which ~~they such members~~ serve.

(c) The special election board shall, to the extent practicable, follow advance voting procedures as provided for ~~in Kansas~~ by law. All persons who are registered voters of the county and who are current residents of the facility may request a ballot from the special election board. In the case of a voter who has applied for and received permanent advance voting status pursuant to ~~subsection (g) of~~ K.S.A. 25-1122(h), and amendments thereto, the special election board may deliver such voter's ballot to the voter instead of mailing the ballot as required by K.S.A. 25-1123, and amendments thereto. Any voter may receive assistance from a member of the special board or from a person of such voter's choice. Any person rendering assistance to a voter shall sign a written statement as provided for in ~~subsection (d) of~~ K.S.A. 25-1124(e), and amendments thereto, and shall file such statement with the special board or with the county election officer.

(d) The special election board shall ensure that the privacy of each voter is preserved and shall cause each voter's ballot to be sealed in an envelope or deposited in a locked ballot box. In cases where ~~direct recording~~ electronic or electromechanical voting systems are used, the special election board shall ensure that the voting equipment is secured from tampering and unauthorized access. At the conclusion of the voting process at a facility, the ballots, voting equipment, voting records and materials shall be returned to the county election officer. All the members of the special election board shall certify the receipt and return of the ballots, voting equipment, voting records

and materials.

(e) The county election officer shall ensure that the ballots received from any such special election board shall be tabulated according to procedures established by law for the tabulation of advance voting ballots and shall ensure that the tabulated returns are included with other official election returns and presented to the county board of canvassers for the canvass as provided by law. Any ballot cast by a voter pursuant to this section may be challenged in the same manner as other ballots are challenged.

(f) The county election officer shall ensure that mobile voting sites established under this act are clearly posted as such during the hours voting is allowed.

(g) (1) For the purposes of this section, the term:

(A) "Assisted living facility" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 39-923, and amendments thereto.

(B) "~~Hospital-based~~ Hospital-based long-term care unit" means a unit that provides physician services and continuous nursing supervision for patients who:

(i) Are not in an acute phase of illness; and

(ii) currently require nursing care that is primarily of a convalescent, restorative or long-term nature. Long-term care unit also includes medicare-certified, distinct-part long-term care units.

(C) "Nursing facility" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 39-923, and amendments thereto.

Sec. 46. K.S.A. 25-2905 is hereby amended to read as follows: 25-2905. ~~(a)~~ If not already folded, the election board shall fold each ballot before handing the same to a voter. If more than one ballot is to be handed to a voter, the ballots in the set shall be folded separately. Ballots shall be folded so that the names of candidates are concealed and the printed endorsement and ballot number are on the outside of the folded ballot. Before leaving the voting booth, the voter shall refold each of ~~his~~ such voter's ballots separately in the manner ~~he~~ received ~~it~~ and so that the names of candidates and marks on the ballot are concealed. Upon leaving the booth, the voter shall deliver ~~his~~ the ballot or set of ballots to one of the judges, who shall ~~forthwith,~~ promptly and in the presence of the voter and of the election board, properly clip the number therefrom and deposit the ballots in their respective ballot boxes.

(b) The provisions of this section shall only apply to elections conducted in counties that do not use tabulators or optical scanners to count votes.

Sec. 47. K.S.A. 25-3005 is hereby amended to read as follows: 25-3005. At all elections authorized poll agents shall be allowed to be present and observe the proceedings at all original, intermediate and final canvasses of elections, at all recounts authorized by K.S.A. 25-3107, and amendments thereto, at all audits conducted after an election pursuant to K.S.A. 25-3009, and amendments thereto, and at the time and place of casting ballots, subject to such limitations as are prescribed by law or rules and regulations ~~of adopted by~~ the secretary of state. The supervising judge of each voting place shall be in charge thereof and may direct authorized poll agents as to their conduct ~~within the voting place,~~ but such directions shall not favor agents of one kind or party over agents of another kind or party, and such directions shall not be contrary to law, rules and regulations ~~of adopted by~~ the secretary of state; or instructions of the county election officer.

Sec. 48. K.S.A. 2022 Supp. 25-3009 is hereby amended to read as follows: 25-3009. (a) After an election and prior to the meeting of the county board of canvassers to

certify the official election results for any election in which the canvassers certify the results, the county election officer shall conduct a manual audit or tally of each vote cast, regardless of the method of voting, in 1% of all precincts, with a minimum of one precinct located within the county. The precinct or precincts shall be randomly selected and the selection shall take place after the election.

(b) (1) The audit shall be performed manually and shall review all paper ballots selected pursuant to subsection (a). The audit shall be performed by a sworn election board consisting of bipartisan trained board members. The county election officer shall determine the members of the sworn election board who will conduct the audit.

(2) The audit shall review contested races as follows:

(A) In presidential election years:

(i) One federal race;

(ii) one state legislative race; ~~and~~

(iii) one county race; and

(iv) one constitutional amendment question, if any.

(B) In even-numbered, non-presidential election years:

(i) One federal race;

(ii) one statewide race;

(iii) one state legislative race; ~~and~~

(iv) one county race; and

(v) one constitutional amendment question, if any.

(C) In even-numbered election years, any federal, statewide or state legislative race that is within 1% of the total number of votes cast tallied on election night, as determined by the secretary of state, shall be audited. The county election officer shall conduct the audit in the manner set forth in subsection (a) in 10% of all county precincts in the specified race, with a minimum of one precinct in the county. The precincts audited pursuant to this subsection shall be in addition to the precincts audited under ~~subsections~~ subparagraphs (2)(A) and (B).

(D) In odd-numbered election years, two local races will be randomly selected, and the selection shall take place after the election.

(c) At least five days prior to the audit, notice of the time and location of the audit shall be provided to the public on the official county website. The audit shall be conducted in a public setting. Any candidate or entity who is authorized to appoint a poll agent may appoint a poll agent for the audit.

(d) The results of the audit shall be compared to the unofficial election night returns and a report shall be submitted to the county election office and to the secretary of state's office prior to the meeting of the county board of canvassers. If a discrepancy is reported between the audit and the unofficial returns and cannot be resolved, the county election officer or the secretary of state may require audits of additional precincts. Once the audit has been completed, the results of the audit shall be used by the county board of canvassers when certifying the official election results.

(e) Upon publication of the notice of the audit pursuant to subsection (c), the signed and certified official abstracts required by K.S.A. 25-3006, and amendments thereto, shall be made available by the county election office for review by any authorized poll agent. Such abstracts shall be from all precincts and shall not be limited to those precincts that are subject to the audit. The abstracts shall be available for review until commencement of the original canvass.

(f) The secretary of state shall adopt rules and regulations governing the conduct and procedure of the audit, including the random selection of the precincts and offices involved in the audit.

Sec. 49. K.S.A. 25-3104 is hereby amended to read as follows: 25-3104. The original canvass of every election shall be performed by the election boards at the voting places. The county election officer shall present the original returns, together with the ballots, books and any other records of the election, for the purpose of canvass, to the county board of canvassers at any time between 8 a.m. and 10 a.m. on the Monday next following any election held on a Tuesday, except that the county election officer may move the canvass to any business day not later than 13 days following any election. Notice of the time and place of the canvass shall be published in a newspaper of general circulation in the county prior to the canvass and shall also be published on the website of the county election office. For elections not held on a Tuesday, the canvass by the county board of canvassers shall be held on a day and hour designated by it, and not later than the 13th day following the day of such election.

Sec. 50. K.S.A. 25-3107 is hereby amended to read as follows: 25-3107. (a) At the time of commencement of any canvass by the county board of canvassers the county election officer shall present to the county board of canvassers the preliminary abstracts of election returns, together with the ballots and records returned by the election boards and, as provided by rules and regulations adopted by the secretary of state as authorized by K.S.A. 25-1132(b), and amendments thereto, advance voting ballots received after the closing of the polls pursuant to K.S.A. 25-1132(b), and amendments thereto. The county board of canvassers shall inspect and check the records presented by the county election officer and shall hear any questions which the county election officer believes appropriate for determination of the board. The county board of canvassers shall do what is necessary to obtain an accurate and just canvass of the election and shall finalize the preliminary abstract of election returns by making any needed changes, and certifying its authenticity and accuracy. The certification of the county board of canvassers shall be attested by the county election officer. Neither the county board of canvassers nor the county election officer shall open or unseal sacks or envelopes of ballots, except as is required by K.S.A. 25-409, 25-1136 and 25-1337, and amendments thereto, or other specific provision of law or as is authorized to carry out a recount under subsection (b), or as authorized under subsection (e).

(b) If a majority of the members of the county board of canvassers shall determine that there are manifest errors appearing on the face of the poll books of any election board, which might make a difference in the result of any election, or if any candidate shall request the recount of the ballots cast in all or in only specified voting areas for the office for which the person is a candidate, or if any registered elector who cast a ballot in a question submitted election requests a recount in all or only specified voting areas to determine the result of the election, the county board of canvassers shall cause a special election board appointed by the county election officer to meet under the supervision of the county election officer and recount the ballots with respect to any office or question submitted specified by the county board of canvassers or requested by the candidate or elector. If a recount is required in a county that uses optical scanning systems as defined in K.S.A. 25-4601 et seq., and amendments thereto, or electronic or electromechanical voting systems, as defined in K.S.A. 25-4401, and amendments thereto, the method of conducting the recount shall be at the discretion of the person

requesting the recount. The county election officer shall not be a member of the special election board. Before the special election board meets to recount the ballots upon a properly filed request, the party who makes the request shall file with the county election officer a bond, with security to be approved by the county or district attorney, conditioned to pay all costs incurred by the county in making the recount. In the event that the candidate requesting the recount is declared the winner of the election as a result of the recount, or if as a result of the recount a question submitted is overturned, no action shall be taken on the person's bond and the county shall bear the costs incurred for the recount. Any recount must be requested in writing and filed with the county election officer not later than 5 p.m. on the day following the last meeting of the county board of canvassers. The request shall specify which voting areas are to be recounted. The county election officer shall immediately notify any candidate involved in the election for which the recount is requested, or shall notify the county chairperson of each candidate's party. ~~Any~~ the recount shall be initiated not later than the following day and shall be completed not later than 5 p.m. on the fifth day following the filing of the request for a recount, including Saturdays, Sundays and holidays. Upon completion of any recount under this subsection, the election board shall package and reseal the ballots as provided by law and the county board of canvassers shall complete its canvass. The members of the special election board shall be paid as prescribed in K.S.A. 25-2811, and amendments thereto, for time actually spent making the recount.

(c) (1) The provisions of this subsection shall apply to ~~candidates~~ at any election for:

- (A) Any state or national office elected on a statewide basis;
- (B) the office of president or vice president of the United States;
- (C) the office of members of the United States house of representatives;
- (D) the office of members of the state senate or house of representatives whose district is located in two or more counties; ~~and~~
- (E) the office of members of the state board of education; and
- (F) a constitutional amendment.

(2) Any candidate may request a recount in one or more counties. Any registered elector who cast a ballot in an election for a constitutional amendment submitted may request a recount in one or more counties. Any such recount ~~must shall~~ be requested in writing and filed with the secretary of state not later than 5 p.m. on the ~~second Friday following the election day following the last meeting of the county board of canvassers~~ second Friday following the election day following the last meeting of the county board of canvassers canvassing votes in the election for which the recount is requested. The request shall specify which counties or precincts are to be recounted. If a recount is required in a county that uses optical scanning ~~systems equipment~~, as defined in K.S.A. 25-4601, and amendments thereto, or electronic or electromechanical voting systems, as defined in K.S.A. 25-4401, and amendments thereto, the method of conducting the recount shall be at the discretion of the person requesting the recount. Except as provided by this subsection and subsection (d), the person requesting the recount shall file, contemporaneously with a request for a recount, a bond with the secretary of state ~~a bond~~, with security to be approved by the secretary of state, conditioned to pay all costs incurred by the counties and the secretary of state in making the recount. The amount of the bond shall be determined by the secretary of state. A candidate described in subsection (c)(1)(D) and (E) may post a bond as provided by subsection (b) in lieu of the bond required by this subsection. In the event that the candidate requesting the

recount is declared the winner of the election as a result of the recount, no action shall be taken on the candidate's bond and the counties shall bear the costs incurred for the recount.

(3) The secretary of state immediately shall notify each county election officer affected by the recount and any candidate involved in the election for which the recount is requested. If the candidate cannot be reached, then the secretary of state shall notify the state chairperson of such candidate's party. Any such recount shall be conducted under the supervision of the county election officers at the direction of the secretary of state, and shall be initiated not later than the following day and shall be completed not later than 5 p.m. on the fifth day following the filing of the request for a recount, including Saturdays, Sundays and holidays. Each county election officer involved in the recount shall appoint a special election board to recount the ballots. The members of the special election board shall be paid as prescribed in K.S.A. 25-2811, and amendments thereto, for time actually spent making the recount. Upon completion of any recount under this subsection, the special election board in each county shall package and reseal the ballots as provided by law and the county board of canvassers shall complete its canvass. The county election officer in each county immediately shall certify the results of the recount to the secretary of state.

(d) (1) The provisions of this subsection shall apply to ~~candidates at any~~ general elections for:

- (A) Any state or national office elected on a statewide basis;
- (B) the office of president or vice president of the United States;
- (C) the office of members of the United States house of representatives;
- (D) the office of members of state senate or house of representatives; and
- (E) the office of members of the state board of education.

(2) Whenever the election returns reflect that a candidate for office was defeated by $\frac{1}{2}$ of 1% or less of the total number of votes cast and if the candidate requests a recount in one or more counties ~~of the ballots, no bond shall be required and~~ the state shall bear the cost of any recount performed using the method by which the ballots were counted originally.

(3) Not later than 60 days following a recount conducted pursuant to this subsection, the board of county commissioners of each county in which the recount occurred shall certify to the secretary of state the amount of all necessary direct expenses incurred by the county. Payment for such expenses shall be made to the county treasurer of the county upon warrants of the director of accounts and reports pursuant to vouchers approved by the secretary of state. Upon receipt of such payment and reimbursements, the county treasurer shall deposit the entire amount thereof in the county election fund, if there is one and if there is not then to the county general fund.

(4) The secretary of state, with the advice of the director of accounts and reports, shall determine the correctness of each amount certified under this section and adjust any discrepancies discovered before approving vouchers for payment to any county.

(e) Procedures for canvassing and challenging advance voting ballots received by mail after the closing of the polls pursuant to K.S.A. 25-1132(b), and amendments thereto, shall be as set forth in rules and regulations adopted by the secretary of state as authorized by K.S.A. 25-1132(b), and amendments thereto.

Sec. 51. K.S.A. 25-3201 is hereby amended to read as follows: 25-3201. The governor, secretary of state and attorney general, or such officers' designee, shall

constitute the state board of canvassers. Any two of such members may act for such board.

Sec. 52. K.S.A. 25-3301 is hereby amended to read as follows: 25-3301. (a) Each registered voter of this state who has declared a party affiliation as provided in this section or in K.S.A. 25-3304, and amendments thereto, shall be entitled to vote at every partisan primary election. Each political party entitled to nominate candidates by primary election shall notify the secretary of state in writing on or before January 15 of any year in which a partisan general election is to be held whether voters who are unaffiliated with such political party may vote in such party's primary election.

(b) The county election officer shall prepare for each voting place at each partisan primary election a party affiliation list, duly certified by such officer, ~~which that~~ clearly indicates the party affiliation of each registered voter in the voting area who has declared a party affiliation. The registration book prepared for a voting place pursuant to K.S.A. 25-2318, and amendments thereto, may be used as such list, but no registration book prepared for use at a voting place in an election other than a partisan primary election or an election held at the same time as a partisan primary election shall indicate in any manner the party affiliation of any voter. Such list shall be delivered by the supervising judge to the voting place before the opening of the polls.

(c) The party affiliation list provided for by subsection (b) shall be used to determine the party affiliation of a voter offering to vote at a partisan primary election and of a voter applying for an advance voting ballot pursuant to K.S.A. 25-1122, and amendments thereto. If a voter's party affiliation is not indicated on the party affiliation list, such voter shall state the voter's party affiliation in writing on a form prescribed by the secretary of state. A judge at the precinct polling place, or the county election officer or such officer's designee, shall give such voter a primary ballot of the voter's party affiliation, and such person thereupon shall be entitled to vote. Such a statement of party affiliation shall constitute a declaration of party affiliation, and all such signed statements shall be returned to the county election officer, who shall cause them to be recorded on the party affiliation list.

(d) Party affiliation statements shall be preserved for five years. The county election officer may dispose of the statements in the manner approved for destruction of ballots as provided in K.S.A. 25-2708, and amendments thereto.

(e) The county election officer shall update party affiliation lists as provided by rules and regulations of the secretary of state.

Sec. 53. K.S.A. 25-3303 is hereby amended to read as follows: 25-3303. Whenever a name is ~~purged removed~~ from the voter registration books as provided by K.S.A. 25-2316c, and amendments thereto, such name shall also be ~~purged or~~ removed from the party affiliation list.

Sec. 54. K.S.A. 25-3304 is hereby amended to read as follows: 25-3304. (a) Any person who has declared such person's party or voter affiliation in the manner provided by law shall be listed on a voter affiliation list as a member of a registered political organization, or on a party affiliation list if a member of a recognized political party, unless the person's name is ~~purged or removed therefrom~~ as provided by K.S.A. 25-3303, and amendments thereto, or unless the person changes party or voter affiliation as provided in this section.

(b) Any person, who, having declared a party or voter affiliation, desires to change the same, may file a written declaration with the county election officer, stating the

change of party or voter affiliation. Such declaration cannot be filed during the time from the candidate filing deadline, as prescribed in K.S.A. 25-205, 25-305 and 25-4004, and amendments thereto, through the time when the primary election results are certified by the secretary of state. The county election officer shall enter a record of such change on the party or voter affiliation list of such preceding primary election in the proper column opposite the voter's name.

Sec. 55. K.S.A. 25-3801 is hereby amended to read as follows: 25-3801. (a) At each primary election, the members of the party residing in each precinct in each county of the state shall elect a man ~~of their number from such members~~ as precinct committeeman and a woman ~~of their number from such members~~ as precinct committeewoman. No person shall be eligible to file a declaration of intention to be a candidate for, to be a candidate for or hold the office of precinct committeeman or precinct committeewoman of a party in any precinct unless ~~such~~ the person actually lives, resides ~~and occupies a place of abode~~ in such precinct, ~~and is in all other respects~~ a qualified elector and is ~~shown~~ as a member of such party on the party affiliation list; maintained in the office of the county election officer. Each precinct committeeman and committeewoman shall assume the duties of precinct committeeman and committeewoman on the day after the primary election and shall not be required to take an oath under K.S.A. 54-106, and amendments thereto.

~~(b)~~ (c) Except as provided in subsection ~~(b)~~ (c), any vacancy occurring in the office of precinct committeeman or committeewoman shall be ~~promptly~~ filled by appointment by the county chairperson, ~~except that for~~ any vacancy ~~which that~~ occurs because the party had no candidate ~~at such~~ the primary election shall not be filled until the county central committee has elected or reelected its chairperson. Not later than three days after appointment of precinct committeemen and committeewomen, the county chairperson making the appointments shall notify the county election officer of such appointments and include the name, address, email address, if available, and a phone number or phone numbers, including a mobile phone number, if available, of each appointee in such notification. The county election officer shall make such appointments public immediately upon receipt thereof. ~~As used in this act, "primary election" means the statewide election held in August of even-numbered years.~~

~~(b)(c)~~ (1) When a convention is to be held under article 39 of chapter 25 of Kansas Statutes Annotated, and amendments thereto, to fill a vacancy, no appointments shall be made under subsection (a):

~~(1)(A)~~ (A) After the county chairperson has received notice from the county election officer of a vacancy or a pending vacancy in a county elected office; or

~~(2)(B)~~ (B) after the county chairperson in each county, all or a part of which, is located within a legislative district has received notice from the secretary of state of a vacancy or a pending vacancy in a legislative office.

(2) After the vacancy has been filled by a person elected at a convention held under article 39 of chapter 25 of the Kansas Statutes Annotated, and amendments thereto, any vacancy in the office of precinct committeeman or committeewoman shall be filled as provided by subsection (a).

(d) If a precinct committeeman or committeewoman is elected as a write-in candidate, the county clerk shall request from the appropriate county chairperson the name, address, email address, if available, and a phone number or phone numbers, including a mobile phone number, if available, of such elected precinct committeeman

or committeewoman.

(e) Each precinct committeeman and committeewoman shall report any changes in such person's name, address, email address and phone numbers to the county election officer not later than 10 days after such change.

(f) The county election officer shall send to the secretary of state within seven days after each primary election in even-numbered years a list of who holds the office of precinct committeeman or committeewoman along with the name, address, phone number and email address, if available, of each such person. The county officer shall report all updates of such information at the time such updates are received to the secretary of state. The secretary of state shall keep an updated list of all precinct committeepersons, including their names, addresses, phone numbers and their email addresses, if available.

(g) As used in this section, "primary election" means the election held on the first Tuesday in August of even-numbered years.

Sec. 56. K.S.A. 25-4004 is hereby amended to read as follows: 25-4004. The provisions of K.S.A. 25-205, and amendments thereto, shall not apply to the offices of governor and lieutenant governor. The names of candidates for governor and lieutenant governor shall be printed upon the official primary ballot when each pair thereof shall have qualified to become candidates in one or the other of the following methods ~~and none other: First, they shall have had filed in~~

(a) Nomination petitions shall be filed on their behalf, not later than 12 noon, June 1, prior to such primary election, or if such date falls on Saturday, Sunday or a legal holiday, then before 12 noon the following business day; ~~nomination papers, commonly called nomination petitions,~~ as provided for in K.S.A. 25-4005, and amendments thereto; or; ~~second, they~~

(b) such persons shall have filed not later than the time for filing nomination papers petitions, as above provided in paragraph (a), with the secretary of state, as hereinafter prescribed; a declaration of intention to become candidates; accompanied by a fee as provided in K.S.A. 25-4006, and amendments thereto.

Sec. 57. K.S.A. 25-4005 is hereby amended to read as follows: 25-4005. ~~(a) The nomination papers or petitions as mentioned described~~ in K.S.A. 25-4004, and amendments thereto, shall be in substantially the following form:

I, the undersigned, an elector of the county of _____, and state of Kansas, and a duly registered voter and a member of the _____ party, hereby nominate

(Here insert name and city)

and state of Kansas as a candidate for the office of governor, and running with such candidate

(Here insert name and city)

and state of Kansas as a candidate for the office of lieutenant governor to be voted for at the primary to be held on the first Tuesday in August in _____, as representing the principles of such party; and I further declare that I intend to support the candidates herein named and that I have not signed and will not sign any nomination petition ~~or nomination paper~~ for any other persons, for such offices at the next ensuing election.

(HEADING)

Name of Street Number Name of Date of

Signers	or RR	City	Signing
	(as Registered)		

All nomination ~~papers~~ petitions shall have substantially the foregoing form, written or printed at the top thereof. No signature shall be counted unless it is upon a sheet having such written or printed form at the top thereof.

(b) Each signer of a nomination ~~paper~~ petition shall sign ~~but only one such paper~~ petition for governor and lieutenant governor, and shall declare that such signer intends to support the candidates ~~therein~~ named, ~~and shall add to the signer's signature in such petition.~~ The signer's residence, ~~if in a city, by including the street and number, if any; or, otherwise by, or such~~ address as otherwise shown on such signer's registration ~~shall be included with such signer's signature.~~ No signature shall be counted unless the place of residence of the signer is clearly indicated and the date of signing given as herein required and if ditto marks are used to indicate address ~~they such marks~~ shall be continuous and clearly made. Such sheets shall not be cut or pasted together.

(c) (1) All signers of each separate nomination ~~paper~~ petition shall reside in the same county. The affidavit of a petition circulator, as defined in K.S.A. 25-3608, and amendments thereto, shall be appended to each such nomination ~~paper~~ petition, stating that to the best of such petition circulator's knowledge and belief;

(A) All the signers thereof are qualified electors of that county; ~~that the petition circulator knows that they~~

(B) such signers signed the ~~same~~ petition with full knowledge of the contents thereof; ~~that their~~

(C) such signers' respective residences are correctly stated therein; ~~that~~

(D) each signer signed the ~~same~~ petition on the date stated opposite such signer's name; ~~and that~~

(E) the affiant intends to support the candidates therein named.

(2) Such affidavit shall be prima facie evidence of the facts ~~therein~~ stated in such affidavit.

(d) Such nomination ~~papers~~ petition shall be signed by not less than 1% of the total vote of the party designated in the state. The basis of the percentage shall be the vote of the party for secretary of state at the last preceding general election of secretary of state; or, in case of a new party, the basis of a percentage shall be the vote cast for the successful candidate for secretary of state at the last preceding general election of secretary of state.

Sec. 58. K.S.A. 25-4148d is hereby amended to read as follows: 25-4148d. (a) Every treasurer for a party committee or political committee shall file reports of contributions as prescribed by this act. Reports shall be filed with the secretary of state. Reports required by this section shall be in addition to any other reports required by law.

(b) (1) The report shall contain the name and address of each person who makes a contribution to the party committee or political committee in an aggregate amount or value in excess of \$300 or more during the period commencing 11 days before a primary or general election at which a state or local officer is to be elected and ending at 11:59 p.m. on the Wednesday preceding the date of the election. Such report shall contain the amount and date of each such contribution. The report shall be made on or before the close of business on the Thursday preceding the date of the election.

(2) In addition, a separate report shall be made on a daily basis for the Thursday,

Friday, Saturday and Sunday immediately preceding the election. Each daily report shall contain the information required in paragraph (1) ~~of this section~~. Each report shall be filed by 5:00 p.m. on the next day respectively.

(c) Reports required by this section shall be filed with the secretary of state during regular business hours by hand delivery; ~~or~~ express delivery service; ~~facsimile transmission~~ or at any time by any electronic method authorized by the secretary of state.

(d) (1) "~~Contribution~~" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 25-4143, and amendments thereto.

(2) "~~Party committee~~" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 25-4143, and amendments thereto.

(3) "~~Political committee~~" ~~shall have the meaning ascribed to it~~ means the same as defined in K.S.A. 25-4143, and amendments thereto.

(e) The provisions of this section shall be a part of and supplemental to the campaign finance act.

Sec. 59. K.S.A. 25-4322 is hereby amended to read as follows: 25-4322. (a) Before any petition for recall of a local officer is circulated, a copy thereof accompanied by names and addresses of the recall committee and sponsors shall be filed in the office of the county election officer with whom the petitions are required to be filed. The copy of the petition so filed shall be subscribed by the members of the recall committee in the presence of such county election officer. The recall committee shall represent all sponsors and subscribers in matters relating to the recall. Notice on all matters pertaining to the recall may be served on any member of the recall committee in person or by mail addressed to a committee member as indicated on the petition so filed. The county election officer, upon request, shall notify the recall committee of the official number of votes cast for all candidates for the office of the local officer sought to be recalled, such percentage to be based upon the last general election for the current term of office of the officer sought to be recalled.

(b) Before any petition for recall of a local officer is circulated, the county election officer shall transmit a copy of such petition to the county or district attorney or to the attorney designated pursuant to subsection (c) for determination of the sufficiency of the grounds stated in the petition for recall. Within five business days of receipt of the copy of the petition from the county election officer, the county or district attorney or the attorney designated pursuant to subsection (c) shall make such determination and notify the county election officer, the officer sought to be recalled and the recall committee of such determination. Such determination shall include whether:

(1) The facts do not support the grounds for recall as stated in the petition for recall;

(2) the petition is not substantially in the required form;

(3) the petition was filed during the first 120 days of the term of office of the official sought to be recalled or within less than 180 days of the termination of the term of office of the officer sought to be recalled;

(4) the person named in the petition is not a local officer;

(5) there is an insufficient number of required signatures of any kind;

(6) the local officer sought to be recalled has been or is being subjected to another recall election during such officer's current term of office; or

(7) the application does not conform to any other requirement of this act.

(c) In the case of a recall of the county or district attorney, a judge of the district court of such county shall designate an attorney to determine the sufficiency of the grounds stated in the petition for recall. Such attorney shall perform the duties imposed on the county or district attorney in the recall of other local officers.

(d) All mandamus proceedings to compel a recall election and all injunction proceedings to restrain a recall election shall be commenced within 30 days after the county or district attorney's decision.

Sec. 60. K.S.A. 2022 Supp. 25-4414 is hereby amended to read as follows: 25-4414. (a) Electronic or electromechanical voting system or electronic poll book fraud is:

~~(a)(1)~~ Being in unlawful or unauthorized possession of electronic or electromechanical voting system equipment, electronic poll book equipment, computer programs, operating systems, firmware, software or ballots;

(2) accessing without authorization or facilitating the unauthorized access to electronic or electromechanical voting system equipment, electronic poll book equipment, computer programs, operating systems, firmware, software or ballots;

(3) knowingly publishing or causing to be published any password or other confidential information relating to electronic or electromechanical voting system equipment, electronic poll book equipment, computer programs, operating systems, firmware or software; or

~~(b)(4)~~ intentionally tampering with, altering, disarranging, defacing, impairing or destroying any electronic or electromechanical voting system, electronic poll book or component part thereof, or any ballot used by such electronic or electromechanical voting systems.

(b) Electronic or electromechanical voting system or electronic poll book fraud is a severity level 9, nonperson felony.

Sec. 61. K.S.A. 25-4612 is hereby amended to read as follows: 25-4612. (a) Optical scanning equipment fraud is:

~~(a)(1)~~ Being in unlawful or unauthorized possession of ballots, optical scanning equipment, computer programs, operating systems, firmware or software;

(2) accessing without authorization or facilitating the unauthorized access to optical scanning equipment;

(3) knowingly publishing or causing to be published any password or other confidential information relating to optical scanning equipment; or

~~(b)(4)~~ intentionally tampering with, altering, disarranging, defacing, impairing or destroying any optical scanning equipment or component part thereof, or any ballot, operating system, firmware or software used by a system.

(b) Optical scanning equipment fraud is a severity level 9, nonperson felony.

Sec. 62. K.S.A. 25-4703 is hereby amended to read as follows: 25-4703. As used in this act:

(a) "Arbitrator" means a neutral third party selected by the secretary of state who resolves the dispute between the complainant and respondent, and whose decision is final.

(b) "Complainant" means the person who files a complaint with the Kansas secretary of state under this act.

(c) "Respondent" means any state or local election official whose actions are asserted to be in violation of title III in a complaint filed under this act.

(d) "Title III" means title III of the help America vote act of 2002, public law 107-

252, 116 Stat. 1666 (2002), codified at ~~42 United States code §§ 15481-15485~~ 52 U.S.C. §§ 21081-21102.

Sec. 63. K.S.A. 25-4709 is hereby amended to read as follows: 25-4709. (a) Except as provided in subsection (c), if requested by the complainant, the secretary of state shall conduct a hearing on the record to review the complaint. The secretary of state or other person designated by the secretary of state shall serve as the hearing officer.

(b) The hearing shall be conducted no later than 30 days after the secretary of state receives the complaint. The secretary of state shall give at least ~~5~~ five days advance notice of the date, time, and place of the hearing to the complainant and each named respondent.

(c) After reviewing a complaint and giving all inferences to the complainant, the secretary of state, after consultation on such complaint with the attorney general, may dismiss the complaint without a hearing if the complaint fails to allege facts that assert a violation of title III.

Sec. 64. K.S.A. 71-1415 is hereby amended to read as follows: 71-1415. (a) In college districts in which a district method of election is in effect, if there are more than three qualified candidates for any member position, the county election officer shall call, and there shall be held, a primary election in each such member district. The names of the two candidates receiving the greatest number of votes for any member position at the primary election shall appear on the ballots in the general election. If there are three or fewer qualified candidates for any member position, there shall not be a primary election and the names of the candidates shall be placed on the ballots in the general election.

(b) In college districts in which the election at large method of election is in effect, if there are more than three times the number of candidates as there are trustees to be elected, the county election officer shall call, and there shall be held, a primary election. The names of twice the number of candidates as there are trustees to be elected who receive the greatest number of votes at the primary election shall appear on the ballots in the general election. If there are not more than three times the number of candidates as there are trustees to be elected, there shall not be a primary election and the names of the candidates shall be placed on the ballots in the general election.

(c) If a member is to be elected to fill an unexpired term, the office shall be listed separately on the ballots. If there are more than three candidates for such unexpired term, the county election officer shall call, and there shall be held, a primary election. The names of the two candidates for such unexpired term receiving the greatest number of votes shall appear on the ballots in the general election. If there are three or fewer qualified candidates for the unexpired term of any member position, there shall not be a primary election and the names of the candidates shall be placed on the ballots in the general election.

(d) On the ballots in general college district elections, blank lines for the names of write-in candidates shall be printed at the end of the list of candidates for each different office. The number of blank lines for each elected office shall be equal to the number of candidates to be elected thereto. The purpose of such blank lines shall be to permit the voter to insert the name of any person who is a qualified elector residing in the district and whose name is not printed on the ballot but for whom such voter desires to vote for such office. No lines for write-in candidates shall appear on primary college district election ballots.";

Also on page 4, in line 8, by striking "25-305, 25-305b,"; also in line 8, by striking "25-2903 and 25-3002" and inserting "10-120, 15-809, 19-303, 19-804, 19-3419, 19-3422, 19-3439, 25-105, 25-203, 25-208a, 25-211, 25-213, 25-222, 25-303, 25-305, 25-305b, 25-308, 25-321, 25-432, 25-433, 25-604, 25-901, 25-1115, 25-1122, 25-1214, 25-1709, 25-1710, 25-1903, 25-2005, 25-2008, 25-2018, 25-2021, 25-21a02, 25-2310, 25-2502, 25-2507, 25-2601, 25-26a03, 25-2702, 25-2704, 25-2705, 25-2706, 25-2805, 25-2812, 25-2903, 25-2905, 25-3002, 25-3005, 25-3104, 25-3107, 25-3201, 25-3301, 25-3303, 25-3304, 25-3801, 25-4004, 25-4005, 25-4148d, 25-4322, 25-4612, 25-4703, 25-4709 and 71-1415 and K.S.A. 2022 Supp. 19-3424, 25-3009 and 25-4414";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "write-in candidates" and inserting "election procedures"; by striking all in line 4; in line 5, by striking all before the period and inserting "clarifying duties and qualifications of certain election officials; redefining certain election crimes; amending K.S.A. 10-120, 15-809, 19-303, 19-804, 19-3419, 19-3422, 19-3439, 25-105, 25-203, 25-208a, 25-211, 25-213, 25-303, 25-305, 25-308, 25-321, 25-432, 25-433, 25-604, 25-901, 25-1115, 25-1122, 25-1214, 25-1903, 25-2005, 25-2008, 25-2018, 25-2021, 25-21a02, 25-2310, 25-2502, 25-2507, 25-26a03, 25-2702, 25-2704, 25-2705, 25-2706, 25-2805, 25-2812, 25-2903, 25-2905, 25-3002, 25-3005, 25-3104, 25-3107, 25-3201, 25-3301, 25-3303, 25-3304, 25-3801, 25-4004, 25-4005, 25-4148d, 25-4322, 25-4612, 25-4703, 25-4709 and 71-1415 and K.S.A. 2022 Supp. 19-3424, 25-3009 and 25-4414 and repealing the existing sections; also repealing K.S.A. 25-222, 25-305b, 25-1709, 25-1710 and 25-2601";

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

PAT PROCTOR

PAUL WAGGONER

BRANDON WOODARD

Conferees on part of House

MIKE THOMPSON

RICK KLOOS

OLETHA FAUST GOUDEAU

Conferees on part of Senate

Senator Thompson moved the Senate adopt the Conference Committee Report on **SB 221**.

Upon the showing of ten hands a motion to Call the Question was requested. Division was requested and the motion carried.

On roll call, the vote was: Yeas 30; Nays 6; Present and Passing 3; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Pettey, Reddi, Ryckman, Steffen, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Blasi, Olson, Pittman, Pyle, Straub, Tyson.

Present and Passing: Billinger, Kerschen, Petersen.

Absent or Not Voting: Shallenburger.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2138** 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. 2138, as follows:

On page 2, following line 2, by inserting:

"New Sec. 2. (a) If the association enters into or renews an exclusive broadcast agreement for a regular season activity or postseason activity, such agreement shall not prohibit local broadcasters from broadcasting a school's regular season activity or postseason activity if the local broadcasters:

(1) Provide broadcast services for the school that is participating in the postseason activity;

(2) broadcast at least $\frac{1}{3}$ of the events of such activity during the regular season; and

(3) entered into valid broadcast agreements to broadcast the events of the activity during the regular season.

(b) The provisions of this section shall not prohibit the association from requiring local broadcasters to enter into regular season or postseason broadcast agreements with stipulations that may include, but are not limited to:

(1) Reasonable compensation for broadcasts, except that no fee shall be charged for such broadcasts;

(2) approval by host site;

(3) limitations on organizations that are permitted to sponsor part of the broadcast; and

(4) requirements for competent and professional announcers.

(c) As used in this section:

(1) "Activity" and "activities" mean the same as defined in K.S.A. 72-7117, and amendments thereto.

(2) "Association" means the state high school activities association or any association authorized by K.S.A. 72-7114, and amendments thereto.

(3) "Broadcast" means the live or recorded audio or video transmission of an activity, play-by-play or similar accounts of such activity via radio, television, internet or other technologies.

(4) "Exclusive broadcast agreement" means an agreement entered into between the association and an organization to broadcast association activities under which such organization retains sole rights to broadcast such activities or first right to broadcast such activities.

(5) "Local broadcaster" means an organization, located in Kansas, that provides local broadcast services for any activity of a local school. "Local broadcaster" includes a student organized broadcast that is offered as an educational course or program by the school.

(6) "Organization" means an individual, public or private corporation, partnership, limited liability company, association, joint venture or any other legal or commercial entity.

(7) "Postseason activity" means an association-sponsored activity that occurs after the regular season is complete, including individual games and tournaments.";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "requiring contracts for exclusive broadcasts of state high school activities association activities to permit certain local broadcasts;"

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

MOLLY BAUMGARDNER

RENEE ERICKSON

Conferees on part of Senate

ADAM THOMAS

SUSAN ESTES

Conferees on part of House

Senator Baumgardner moved the Senate adopt the Conference Committee Report on **S Sub HB 2138**.

On roll call, the vote was: Yeas 28; Nays 10; Present and Passing 1; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Haley, Holland, Holscher, Pettey, Reddi, Sykes, Ware.

Present and Passing: Francisco.

Absent or Not Voting: Shallenburger.

The Conference Committee Report was adopted.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following concurrent resolution was introduced and read by title:

SENATE CONCURRENT RESOLUTION No. SCR 1612—

By Senators Masterson, Alley and Sykes

A CONCURRENT RESOLUTION relating to the adjournment of the senate and house of representatives for a period of time during the 2023 regular session of the legislature.

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That the legislature shall adjourn at the close of business of the daily session convened on April 6, 2023, and shall reconvene proforma on April 24, 2023; 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 and travel expenses and subsistence expenses or allowances as provided in K.S.A. 75-3212, and amendments thereto.

On emergency motion of Senator Alley, **SCR 1612** was adopted by voice vote.

On motion of Senator Alley, the Senate recessed until 9:30 p.m.

The Senate met pursuant to recess with President Masterson in the chair.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **HB 2014**.

The House adopts the Conference Committee report on **HB 2039**.

The House adopts the Conference Committee report on **HB 2336**.

The House adopts the Conference Committee report on **HB 2100**.

The House adopts the Conference Committee report on **S Sub HB 2302**.

The House adopts the Conference Committee report on **HB 2184**.

The House adopts the Conference Committee report to agree to disagree on **SB 26**, and has appointed Representatives W. Carpenter, Humphries and Hoye as second conferees on the part of the House.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 26** 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.

WILL CARPENTER

SUSAN HUMPHRIES

JO ELLA HOYE

Conferees on part of House

BEVERLY GOSSAGE

RENEE ERICKSON

PAT PETTEY

Conferees on part of Senate

On motion of Senator Gossage the Senate adopted the conference committee report on **SB 26**, and requested a new conference be appointed.

The President appointed Senators Gossage, Erickson and Pettey as a second Conference Committee on the part of the Senate on **SB 26**.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

Senator Warren moved the Senate concur in House amendments to **SB 75**.

SB 75, AN ACT concerning the legal rate of interest; relating to the percentage rate used to calculate interest; amending K.S.A. 16-201 and repealing the existing section.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: McGinn, Shallenburger.

The Senate concurred.

Senator Warren moved the Senate concur in House amendments to **SB 243**.

SB 243, AN ACT concerning minors; relating to settlement agreements; providing requirements and procedures for a person having legal custody of a minor to enter into a settlement agreement on behalf of the minor increasing certain related dollar amounts in the Kansas uniform transfers to minors act and the act for obtaining a guardian or a conservator, or both; amending K.S.A. 38-1707, 38-1708, 59-3053, 59-3055 and 74-49,127 and K.S.A. 2022 Supp. 59-3075 and repealing the existing sections.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: McGinn, Shallenburger.

The Senate concurred.

Senator Warren moved the Senate concur in House amendments to **H Sub SB 244**.

H Sub SB 244, AN ACT concerning business entities; relating to the Kansas general corporation code, the business entity transactions act, the business entity standard treatment act, the Kansas revised uniform limited partnership act and the Kansas uniform partnership act; facilitating the use of electronic transmissions and electronic signatures with certain exceptions; revising procedures and requirements related to emergency bylaws and actions under emergency conditions; merger or consolidation; dissolution and revocation or restoration of revoked or forfeited articles of incorporation or authority to engage in business and revival; modifying fees charged by the secretary of state for certain filings and copies; amending K.S.A. 17-6520, 56a-105 and 79-1119 and K.S.A. 2022 Supp. 17-2036, 17-2718, 17-4634, 17-4677, 17-6002, 17-6004, 17-6008, 17-6010, 17-6011, 17-6014, 17-6301, 17-6305, 17-6401, 17-6408, 17-6410, 17-6413, 17-6426, 17-6427, 17-6428, 17-6502, 17-6503, 17-6509, 17-6512, 17-6514, 17-6518, 17-6522, 17-6701, 17-6702, 17-6703, 17-6705, 17-6706, 17-6707, 17-6708, 17-6712, 17-6712, as amended by section 36 of this act, 17-6804, 17-6812, 17-7001, 17-7002, 17-7003, 17-72a04, 17-72a05, 17-72a07, 17-7302, 17-7503, 17-7504, 17-7505, 17-7506, 17-76,136, 17-76,139, 17-78-102, 17-78-202, 17-78-203, 17-78-205, 17-78-302, 17-78-606, 17-7914, 17-7918, 17-7919, 17-7924, 17-7929, 17-7933, 56-1a605, 56-

1a606, 56-1a607, 56a-1201, 56a-1202 and 79-3234 and repealing the existing sections; also repealing K.S.A. 17-7514, 56-1a608, 56-1a610, 56a-1203 and 56a-1204 and K.S.A. 2022 Supp. 17-72a03 and 17-7511.

On roll call, the vote was: Yeas 28; Nays 8; Present and Passing 2; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Peck, Petersen, Pettey, Reddi, Ryckman, Sykes, Ware, Warren, Wilborn.

Nays: Blasi, Olson, Pittman, Pyle, Steffen, Straub, Thompson, Tyson.

Present and Passing: Francisco, Holland.

Absent or Not Voting: McGinn, Shallenburger.

The Senate concurred.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2019** 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 26; following line 26, by inserting:

"New Section 1. (a) Except as provided in subsection (b):

(1) Any public entity that has a significant cybersecurity incident shall notify the Kansas information security office within 12 hours after discovery of such incident.

(2) Any government contractor that has a significant cybersecurity incident that involves the confidentiality, integrity or availability of personal information or confidential information provided by the state of Kansas, networks or information systems operated by or on behalf of the state of Kansas shall notify the Kansas information security office:

(A) Within 72 hours after the government contractor reasonably believes that such significant cybersecurity incident occurred; or

(B) if a determination is made during the investigation that such information, networks or systems were directly impacted, within 12 hours after such determination is made.

(3) If a significant cybersecurity incident described in paragraph (1) or (2) involves election data, then the public entity or government contractor shall also notify the secretary of state of such incident within the time period required by paragraph (1) or (2).

(b) (1) Any entity that is connected to the Kansas criminal justice information system shall report any cybersecurity incident in accordance with rules and regulations adopted by the Kansas criminal justice information system committee pursuant to K.S.A. 74-5704, and amendments thereto.

(2) An entity that is connected to the Kansas criminal justice information system and is not connected to any other state of Kansas information system shall not be required to make the report required in subsection (a).

(3) The Kansas bureau of investigation shall notify the Kansas information security office of any significant cybersecurity incident report it receives in accordance with

rules and regulations adopted pursuant to K.S.A. 74-5704, and amendments thereto, not later than 12 hours after receipt of such report.

(c) (1) The information provided pursuant to this section shall only be shared with individuals who need to know such information for response and defensive activities to preserve the integrity of state information systems and networks or to provide assistance if requested.

(2) Such information shall be confidential and shall not be subject to disclosure pursuant to the open records act, K.S.A. 45-215 et seq., and amendments thereto. This paragraph shall expire on July 1, 2028, unless the legislature reviews and acts to continue such provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2028.

(3) The Kansas information security office shall only report the information provided pursuant to this section as aggregate data.

(d) Nothing in this section shall be construed to supersede notification requirements in currently existing contracts between the state of Kansas and entities.

(e) Prior to October 1, 2023, the Kansas information security office shall post instructions on its website for submitting the significant cybersecurity reports required by this section. Such instructions shall include, but not be limited to, the types of incidents that are required to be reported and any information that is required to be included in the report made through the established cybersecurity incident reporting system.

(f) For the purposes of this section:

(1) "Cybersecurity incident" means an event or combination that threatens, without lawful authority, the confidentiality, integrity or availability of information or information systems and that requires an entity to initiate a response or recovery activity;

(2) "entity" means a public entity or government contractor;

(3) "government contractor" means an individual or private entity that performs work for or on behalf of the state of Kansas on a contract basis that has access to or is hosting state networks, systems, application or information;

(4) "information system" means a discrete set of information resources organized for the collection, processing, maintenance, use, sharing, dissemination or disposition of information;

(5) "personal information" means the same as defined in K.S.A. 2022 Supp. 50-7a01, and amendments thereto;

(6) "private entity" means an individual, corporation, company, partnership, firm, association or other entity that is not a public entity;

(7) "public entity" means any public agency of the state or any political subdivision thereof;

(8) "security breach" means the same as defined in K.S.A. 2022 Supp. 50-7a01, and amendments thereto;

(9) "significant cybersecurity incident" means a cybersecurity incident that results in or is likely to result in financial loss or demonstrable harm to public confidence or public health and safety in the state of Kansas; and

(10) "unauthorized disclosure" means the accidental exposure of personal information to a person or entity that is not authorized or does not have a valid need to view the information.

Sec. 2. K.S.A. 46-2102 is hereby amended to read as follows: 46-2102. In addition to other powers and duties authorized or prescribed by law or by the legislative coordinating council, the joint committee on information technology shall:

(a) Study the use by state agencies and institutions of computers, telecommunications and other information technologies;

(b) review new governmental computer hardware and software acquisition, information storage, transmission, processing and telecommunications technologies proposed by state agencies and institutions, and the implementation plans therefor, including all information technology project budget estimates and three-year strategic information technology plans that are submitted to the joint committee pursuant to K.S.A. 75-7210, and amendments thereto;

(c) advise and consult on all state agency information technology projects, as defined in K.S.A. 75-7201, and amendments thereto, that pose a significant business risk as determined by the information technology executive council's policies and in accordance with K.S.A. 75-7209, and amendments thereto;

(d) make recommendations on all such implementation plans, budget estimates, requests for proposals for information technology projects and three-year plans to the ways and means committee of the senate and the committee on appropriations of the house of representatives;

~~(d)~~(e) study the progress and results of all newly implemented governmental computer hardware and software, information storage, transmission, processing and telecommunications technologies of state agencies and institutions including all information technology projects for state agencies which have been authorized or for which appropriations have been approved by the legislature; and

~~(e)~~(f) make an annual report to the legislative coordinating council as provided in K.S.A. 46-1207, and amendments thereto, and such special reports to committees of the house of representatives and senate as are deemed appropriate by the joint committee.

Sec. 3. K.S.A. 74-5704 is hereby amended to read as follows: 74-5704. The committee shall:

(a) Adopt and enforce such rules, regulations and policies as that are necessary for the establishment, maintenance, upgrading and operation of the statewide criminal justice information system; and

(b) adopt rules and regulations that require entities connected to the Kansas criminal justice information system to report any cybersecurity incident to the Kansas bureau of investigation not later than 12 hours after the discovery of such cybersecurity incident.

Sec. 4. K.S.A. 75-7201 is hereby amended to read as follows: 75-7201. As used in K.S.A. 75-7201 through 75-7212, and amendments thereto:

(a) "Business risk" means the overall level of risk determined by a business risk assessment that includes, but is not limited to, cost, information security and other elements as determined by the information technology executive council's policies.

(b) "Cumulative cost" means the total expenditures, from all sources, for any information technology project by one or more state agencies to meet project objectives from project start to project completion or the date and time the project is terminated if it is not completed.

~~(b)~~(c) "Executive agency" means any state agency in the executive branch of government.

~~(e)(d)~~ "Information technology project" means ~~a project for a major computer, telecommunications or other information technology improvement with an estimated cumulative cost of \$250,000 or more and includes any such project that has proposed expenditures for: (1) New or replacement equipment or software; (2) upgrade improvements to existing equipment and any computer systems, programs or software upgrades therefor; or (3) data or consulting or other professional services for such a project~~ an information technology effort by a state agency of defined and limited duration that implements, effects a change in or presents a risk to processes, services, security, systems, records, data, human resources or architecture.

~~(d)(e)~~ "Information technology project change or overrun" means ~~any of the following any change in:~~

(1) ~~Any change in~~ Planned expenditures for an information technology project that would result in the total authorized cost of the project being increased above the currently authorized cost of such project by more than ~~either \$1,000,000 or 10% of such currently authorized cost of such project, whichever is lower or an established threshold within the information technology executive council's policies;~~

(2) ~~any change in~~ the scope or project timeline of an information technology project, as such scope or timeline was presented to and reviewed by the joint committee or the chief information technology officer to whom the project was submitted pursuant to K.S.A. 75-7209, and amendments thereto, that is a change of more than 10% or a change that is significant as determined by the information technology executive council's policies; or

(3) ~~any change in~~ the proposed use of any new or replacement information technology equipment or in the use of any existing information technology equipment that has been significantly upgraded.

~~(e)(f)~~ "Joint committee" means the joint committee on information technology.

~~(f)(g)~~ "Judicial agency" means any state agency in the judicial branch of government.

~~(g)(h)~~ "Legislative agency" means any state agency in the legislative branch of government.

~~(h)(i)~~ "Project" means a planned series of events or activities that is intended to accomplish a specified outcome in a specified time period, under consistent management direction within a state agency or shared among two or more state agencies, and that has an identifiable budget for anticipated expenses.

~~(i)(j)~~ "Project completion" means the date and time when the head of a state agency having primary responsibility for an information technology project certifies that the improvement being produced or altered under the project is ready for operational use.

~~(j)(k)~~ "Project start" means the date and time when a state agency begins a formal study of a business process or technology concept to assess the needs of the state agency, determines project feasibility or prepares an information technology project budget estimate under K.S.A. 75-7209, and amendments thereto.

~~(k)(l)~~ "State agency" means any state office or officer, department, board, commission, institution or bureau, or any agency, division or unit thereof.

Sec. 5. K.S.A. 75-7202 is hereby amended to read as follows: 75-7202. (a) There is hereby established the information technology executive council which shall be attached to the office of information technology services for purposes of administrative functions.

- (b) (1) The council shall be composed of 17 voting members as follows:
- (A) Two cabinet agency heads or such persons' designees;
 - (B) two noncabinet agency heads or such persons' designees;
 - (C) the executive chief information technology officer;
 - (D) the legislative chief information technology officer;
 - (E) the judicial chief information technology officer;
 - (F) the chief executive officer of the state board of regents or such person's designee;
 - (G) one representative of cities;
 - (H) one representative of counties; the network manager of the information network of Kansas (INK);
 - (I) one representative with background and knowledge in technology and cybersecurity from the private sector, ~~however, except that~~ such representative or such representative's employer shall not be an information technology or cybersecurity vendor that does business with the state of Kansas;
 - (J) one representative appointed by the Kansas criminal justice information system committee;
 - (K) one member of the senate ~~ways and means committee~~ appointed by the president of the senate or such member's designee;
 - (L) one member of the senate ~~ways and means committee~~ appointed by the minority leader of the senate or such member's designee;
 - (M) one member of the house ~~government, technology and security committee or its successor committee of representatives~~ appointed by the speaker of the house of representatives or such member's designee; and
 - (N) one member of the house ~~government, technology and security committee or its successor committee of representatives~~ appointed by the minority leader of the house of representatives or such member's designee.
- (2) The chief information technology architect shall be a nonvoting member of the council.
- (3) The cabinet agency heads, the noncabinet agency heads, the representative of cities, the representative of counties and the representative from the private sector shall be appointed by the governor for a term not to exceed 18 months. Upon expiration of an appointed member's term, the member shall continue to hold office until the appointment of a successor. Legislative members shall remain members of the legislature in order to retain membership on the council and shall serve until replaced pursuant to this section. Vacancies of members during a term shall be filled in the same manner as the original appointment only for the unexpired part of the term. The appointing authority for a member may remove the member, reappoint the member or substitute another appointee for the member at any time. Nonappointed members shall serve ex officio.
- (c) The chairperson of the council shall be drawn from the chief information technology officers, with each chief information technology officer serving a one-year term. The term of chairperson shall rotate among the chief information technology officers on an annual basis.
- (d) The council shall hold quarterly meetings and hearings in the city of Topeka or at such other places as the council designates, on call of the executive chief information technology officer or on request of four or more members. A quorum of the council

shall be nine. All actions of the council shall be taken by a majority of all of the members of the council.

(e) Except for members specified as a designee in subsection (b), members of the council may not appoint an individual to represent them on the council and only members of the council may vote.

(f) Members of the council shall receive mileage, tolls and parking as provided in K.S.A. 75-3223, and amendments thereto, for attendance at any meeting of the council or any subcommittee meeting authorized by the council.

Sec. 6. K.S.A. 75-7205 is hereby amended to read as follows: 75-7205. (a) There is hereby established within and as a part of the office of information technology services the position of executive chief information technology officer. The executive chief information technology officer shall be in the unclassified service under the Kansas civil service act, shall be appointed by the governor, and shall receive compensation in an amount fixed by the governor. The executive chief information technology officer shall maintain a presence in any cabinet established by the governor and shall report to the governor.

(b) The executive chief information technology officer shall:

(1) Review and consult with each executive agency regarding information technology plans, deviations from the state information technology architecture, information technology project estimates and information technology project changes and overruns submitted by such agency pursuant to K.S.A. 75-7209, and amendments thereto, to determine whether the agency has complied with:

(A) The information technology resource policies and procedures and project management methodologies adopted by the information technology executive council;

(B) the information technology architecture adopted by the information technology executive council;

(C) the standards for data management adopted by the information technology executive council; and

(D) the strategic information technology management plan adopted by the information technology executive council;

(2) report to the chief information technology architect all deviations from the state information architecture that are reported to the executive information technology officer by executive agencies;

(3) submit recommendations to the division of the budget as to the technical and management merit of information technology ~~project estimates~~ projects and information technology project changes and overruns submitted by executive agencies that are reportable pursuant to K.S.A. 75-7209, and amendments thereto, ~~based on the determinations made pursuant to subsection (b)(1);~~

(4) monitor executive agencies' compliance with:

(A) The information technology resource policies and procedures and project management methodologies adopted by the information technology executive council;

(B) the information technology architecture adopted by the information technology executive council;

(C) the standards for data management adopted by the information technology executive council; and

(D) the strategic information technology management plan adopted by the information technology executive council;

(5) coordinate implementation of new information technology among executive agencies and with the judicial and legislative chief information technology officers;

(6) designate the ownership of information resource processes and the lead agency for implementation of new technologies and networks shared by multiple agencies within the executive branch of state government; and

(7) perform such other functions and duties as provided by law or as directed by the governor.

Sec. 7. K.S.A. 75-7206 is hereby amended to read as follows: 75-7206. (a) There is hereby established within and as a part of the office of the state judicial administrator the position of judicial chief information technology officer. The judicial chief information technology officer shall be appointed by the judicial administrator, subject to approval of the chief justice, and shall receive compensation determined by the judicial administrator, subject to approval of the chief justice.

(b) The judicial chief information technology officer shall:

(1) Review and consult with each judicial agency regarding information technology plans, deviations from the state information technology architecture, information technology project estimates and information technology project changes and overruns submitted by such agency pursuant to K.S.A. 75-7209, and amendments thereto, to determine whether the agency has complied with:

(A) The information technology resource policies and procedures and project management methodologies adopted by the information technology executive council;

(B) the information technology architecture adopted by the information technology executive council;

(C) the standards for data management adopted by the information technology executive council; and

(D) the strategic information technology management plan adopted by the information technology executive council;

(2) report to the chief information technology architect all deviations from the state information architecture that are reported to the judicial information technology officer by judicial agencies;

(3) submit recommendations to the judicial administrator as to the technical and management merit of information technology ~~project estimates~~ projects and information technology project changes and overruns submitted by judicial agencies that are reportable pursuant to K.S.A. 75-7209, and amendments thereto, ~~based on the determinations pursuant to subsection (b)(1);~~

(4) monitor judicial agencies' compliance with:

(A) The information technology resource policies and procedures and project management methodologies adopted by the information technology executive council;

(B) the information technology architecture adopted by the information technology executive council;

(C) the standards for data management adopted by the information technology executive council; and

(D) the strategic information technology management plan adopted by the information technology executive council;

(5) coordinate implementation of new information technology among judicial agencies and with the executive and legislative chief information technology officers;

(6) designate the ownership of information resource processes and the lead agency

for implementation of new technologies and networks shared by multiple agencies within the judicial branch of state government; and

(7) perform such other functions and duties as provided by law or as directed by the judicial administrator.

Sec. 8. K.S.A. 75-7208 is hereby amended to read as follows: 75-7208. The legislative chief information technology officer shall:

(a) Review and consult with each legislative agency regarding information technology plans, deviations from the state information technology architecture, information technology project estimates and information technology project changes and overruns submitted by such agency pursuant to K.S.A. 75-7209, and amendments thereto, to determine whether the agency has complied with the:

(1) ~~The~~ Information technology resource policies and procedures and project management methodologies adopted by the information technology executive council;

(2) ~~the~~ information technology architecture adopted by the information technology executive council;

(3) ~~the~~ standards for data management adopted by the information technology executive council; and

(4) ~~the~~ strategic information technology management plan adopted by the information technology executive council;

(b) report to the chief information technology architect all deviations from the state information architecture that are reported to the legislative information technology officer by legislative agencies;

(c) submit recommendations to the legislative coordinating council as to the technical and management merit of information technology ~~project estimates~~ projects and information technology project changes and overruns submitted by legislative agencies that are reportable pursuant to K.S.A. 75-7209, and amendments thereto, ~~based on the determinations pursuant to subsection (a);~~

(d) monitor legislative agencies' compliance with the:

(1) ~~The~~ Information technology resource policies and procedures and project management methodologies adopted by the information technology executive council;

(2) ~~the~~ information technology architecture adopted by the information technology executive council;

(3) ~~the~~ standards for data management adopted by the information technology executive council; and

(4) ~~the~~ strategic information technology management plan adopted by the information technology executive council;

(e) coordinate implementation of new information technology among legislative agencies and with the executive and judicial chief information technology officers;

(f) designate the ownership of information resource processes and the lead agency for implementation of new technologies and networks shared by multiple agencies within the legislative branch of state government;

(g) serve as staff of the joint committee; and

(h) perform such other functions and duties as provided by law or as directed by the legislative coordinating council or the joint committee.

Sec. 9. K.S.A. 75-7209 is hereby amended to read as follows: 75-7209. (a) (1) Whenever an agency proposes an information technology project, such agency shall prepare and submit information technology project documentation to the chief

information technology officer of the branch of state government of which the agency is a part of a project budget estimate therefor, and for each amendment or revision thereof, in accordance with this section. Each information technology project budget estimate shall be in such form as required by the director of the budget, in consultation with the chief information technology architect, and by this section. In each case, the agency shall prepare and include as a part of such project budget estimate a plan consisting of a written program statement describing the project. The program statement shall:

(1) Include a detailed description of and justification for the project, including: (A) An analysis of the programs, activities and other needs and intended uses for the additional or improved information technology; (B) a statement of project scope including identification of the organizations and individuals to be affected by the project and a definition of the functionality to result from the project; and (C) an analysis of the alternative means by which such information technology needs and uses could be satisfied;

(2) describe the tasks and schedule for the project and for each phase of the project, if the project is to be completed in more than one phase;

(3) include a financial plan showing: (A) The proposed source of funding and categorized expenditures for each phase of the project; and (B) cost estimates for any needs analyses or other investigations, consulting or other professional services, computer programs, data, equipment, buildings or major repairs or improvements to buildings and other items or services necessary for the project; and

(4) include a cost-benefit statement based on an analysis of qualitative as well as financial benefits. Such information technology project documentation shall:

(A) Include a financial plan showing the proposed source of funding and categorized expenditures for each phase of the project and cost estimates for any needs analyses or other investigations, consulting or other professional services, computer programs, data, equipment, buildings or major repairs or improvements to buildings and other items or services necessary for the project; and

(B) be consistent with:

(i) Information technology resource policies and procedures and project management methodologies for all state agencies;

(ii) an information technology architecture, including telecommunications systems, networks and equipment, that covers all state agencies;

(iii) standards for data management for all state agencies; and

(iv) a strategic information technology management plan for the state.

(2) Any information technology project with significant business risk, as determined pursuant to the information technology executive council's policies, shall be presented to the joint committee on information technology by such branch chief information technology officer.

(b) (1) Before one or more state agencies proposing an information technology project begin implementation of the project, the project plan, including the architecture and the cost-benefit analysis, shall be approved by the head of each state agency proposing the project and by the chief information technology officer of each branch of state government of which the agency or agencies are a part. Approval of those projects that involve telecommunications services shall also be subject to the provisions of K.S.A. 75-4709, 75-4710 and 75-4712, and amendments thereto.

(2) All specifications for bids or proposals related to an approved information

~~technology project of one or more state agencies shall be reviewed by the chief information technology officer of each branch of state government of which the agency or agencies are a part. Prior to the release of any request for proposal for an information technology project with significant business risk:~~

~~(A) Specifications for bids or proposals for such project shall be submitted to the chief information technology officer of the branch of state government of which the agency or agencies are a part. Information technology projects requiring chief information technology officer approval shall also require the chief information technology officer's written approval on specifications for bids or proposals; and~~

~~(B) (i) The chief information technology officer of the appropriate branch over the state agency or agencies that are involved in such project shall submit the project, the project plan, including the architecture, and the cost-benefit analysis to the joint committee on information technology to advise and consult on the project. Such chief information technology officer shall submit such information to each member of the joint committee and to the director of the legislative research department. Each such project plan summary shall include a notice specifying the date the summary was mailed or emailed. After receiving any such project plan summary, each member shall review the information and may submit questions, requests for additional information or request a presentation and review of the proposed project at a meeting of the joint committee. If two or more members of the joint committee contact the director of the legislative research department within seven business days of the date specified in the summary description and request that the joint committee schedule a meeting for such presentation and review, then the director of the legislative research department shall notify the chief information technology officer of the appropriate branch, the head of such agency and the chairperson of the joint committee that a meeting has been requested for such presentation and review on the next business day following the members' contact with the director of the legislative research department. Upon receiving such notification, the chairperson shall call a meeting of the joint committee as soon as practicable for the purpose of such presentation and review and shall furnish the chief information technology officer of the appropriate branch and the head of such agency with notice of the time, date and place of the meeting. Except as provided in subsection (b)(1)(B)(ii), the state agency shall not authorize or approve the release of any request for proposal or other bid event for an information technology project without having first advised and consulted with the joint committee at a meeting.~~

~~(ii) The state agency or agencies shall be deemed to have advised and consulted with the joint committee about such proposed release of any request for proposal or other bid event for an information technology project and may authorize or approve such proposed release of any request for proposal or other bid event for an information technology project if:~~

~~(a) Fewer than two members of the joint committee contact the director of the legislative research department within seven business days of the date the project plan summary was mailed and request a committee meeting for a presentation and review of any such proposed request for proposal or other bid event for an information technology project; or~~

~~(b) a committee meeting is requested by at least two members of the joint committee pursuant to this paragraph, but such meeting does not occur within two calendar weeks of the chairperson receiving the notification from the director of the~~

legislative research department of a request for such meeting.

~~(3)(2)~~ (A) Agencies are prohibited from contracting with a vendor to implement the project if that vendor prepared or assisted in the preparation of the program statement ~~required under subsection (a)~~, the project planning documents ~~required under subsection (b)(1)~~, or any other project plans prepared prior to the project being approved by the chief information technology officer as ~~required under subsection (b)(1)~~ by this section.

(B) Information technology projects with an estimated cumulative cost of less than \$5,000,000 are exempted from the provisions of subparagraph (A).

(C) The provisions of subparagraph (A) may be waived with prior written permission from the chief information technology officer.

(c) Annually at the time specified by the chief information technology officer of the branch of state government of which the agency is a part, each agency shall submit to such officer:

(1) A copy of a three-year strategic information technology plan that sets forth the agency's current and future information technology needs and utilization plans for the next three ensuing fiscal years, in such form and containing such additional information as prescribed by the chief information technology officer; and

(2) any deviations from the state information technology architecture adopted by the information technology executive council.

(d) The provisions of this section shall not apply to the information network of Kansas (INK).

Sec. 10. K.S.A. 75-7210 is hereby amended to read as follows: 75-7210. ~~(a)~~ Not later than ~~October~~ November 1 of each year, the executive, judicial and legislative chief information technology officers shall submit to the joint committee and to the legislative research department all information technology project budget estimates and amendments and revisions thereto, all three-year plans and all deviations from the state information technology architecture submitted to such officers pursuant to K.S.A. 75-7209, and amendments thereto. The ~~legislative chief information technology officer~~ joint committee shall review all such estimates and amendments and revisions thereto, plans and deviations and shall make recommendations to the ~~joint committee~~ house standing committee on appropriations and the senate standing committee on ways and means regarding the merit thereof and appropriations therefor.

~~(b) The executive and judicial chief information technology officers shall report to the legislative chief information technology officer, at times agreed upon by the three officers:~~

~~(1) Progress regarding implementation of information technology projects of state agencies within the executive and judicial branches of state government; and~~

~~(2) all proposed expenditures for such projects, including all revisions to such proposed expenditures, for the current fiscal year and for ensuing fiscal years.~~

Sec. 11. K.S.A. 75-7211 is hereby amended to read as follows: 75-7211. (a) The ~~legislative chief information technology officer, under the direction of the joint committee;~~ shall monitor state agency execution of reported information technology projects ~~and, at times agreed upon by. The joint committee shall require~~ the three chief information technology officers, shall to report progress regarding the implementation of such projects and all proposed expenditures therefor, including all revisions to such proposed expenditures for the current fiscal year and for ensuing fiscal years.

(b) For information technology projects, the joint committee may:

(1) Require the head of a state agency with primary responsibility for an information technology project may authorize or approve, without prior consultation with the joint committee, any change in planned expenditures for an information technology project that would result in the total cost of the project being increased above the currently authorized cost of such project but that increases the total cost of such project by less than the lower of either \$1,000,000 or 10% of the currently authorized cost, and any change in planned expenditures for an information technology project involving a cost reduction, other than a change in the proposed use of any new or replacement information technology equipment or in the use of any existing information technology equipment that has been significantly upgraded to advise and consult on the status and progress of such information technology project, including revisions to expenditures for the current fiscal year and ensuing fiscal years; and

(2) report on the status and progress of such information technology projects to the senate standing committee on ways and means, the house of representatives standing committee on appropriations and the legislative budget committee.

(c) Prior to authorizing or approving any information technology project change or overrun, the head of a state agency with primary responsibility for an such information technology project shall not authorize or approve, without first advising and consulting with the joint committee any information technology project change or overrun report all such information technology project changes or overruns to the joint committee through the chief information technology officer of the branch of state government of which the agency is a part pursuant to the information technology executive council's policy. The joint committee shall report all such changes and overruns to the senate standing committee on ways and means and, the house of representatives standing committee on appropriations and the legislative budget committee.

Sec. 12. K.S.A. 75-7237 is hereby amended to read as follows: 75-7237. As used in K.S.A. 75-7236 through 75-7243, and amendments thereto:

(a) "Act" means the Kansas cybersecurity act.

(b) "Breach" or "breach of security" means unauthorized access of data in electronic form containing personal information. Good faith access of personal information by an employee or agent of an executive branch agency does not constitute a breach of security, provided that the information is not used for a purpose unrelated to the business or subject to further unauthorized use.

(c) "CISO" means the executive branch chief information security officer.

(d) "Cybersecurity" is the body of information technologies, processes and practices designed to protect networks, computers, programs and data from attack, damage or unauthorized access.

(e) "Cybersecurity positions" do not include information technology positions within executive branch agencies.

(f) "Data in electronic form" means any data stored electronically or digitally on any computer system or other database and includes recordable tapes and other mass storage devices.

(g) "Executive branch agency" means any agency in the executive branch of the state of Kansas, but does not include elected office agencies, the adjutant general's department, the Kansas public employees retirement system, regents' institutions, or the board of regents.

(h) "KISO" means the Kansas information security office.

- (i) (1) "Personal information" means:
- (A) An individual's first name or first initial and last name, in combination with at least one of the following data elements for that individual:
- (i) Social security number;
 - (ii) driver's license or identification card number, passport number, military identification number or other similar number issued on a government document used to verify identity;
 - (iii) financial account number or credit or debit card number, in combination with any security code, access code or password that is necessary to permit access to an individual's financial account;
 - (iv) any information regarding an individual's medical history, mental or physical condition or medical treatment or diagnosis by a healthcare professional; or
 - (v) an individual's health insurance policy number or subscriber identification number and any unique identifier used by a health insurer to identify the individual; or
- (B) a user name or email address, in combination with a password or security question and answer that would permit access to an online account.
- (2) "Personal information" does not include information:
- (A) About an individual that has been made publicly available by a federal agency, state agency or municipality; or
 - (B) that is encrypted, secured or modified by any other method or technology that removes elements that personally identify an individual or that otherwise renders the information unusable.
- (j) "State agency" means the same as defined in K.S.A. 75-7201, and amendments thereto.
- Sec. 13. K.S.A. 75-7238 is hereby amended to read as follows: 75-7238. (a) There is hereby established the position of executive branch chief information security officer. The CISO shall be in the unclassified service under the Kansas civil service act, shall be appointed by the governor and shall receive compensation in an amount fixed by the governor.
- (b) The CISO shall:
- (1) Report to the executive branch chief information technology officer;
 - (2) serve as the state's CISO;
 - (3) serve as the executive branch chief cybersecurity strategist and authority on policies, compliance, procedures, guidance and technologies impacting executive branch cybersecurity programs;
 - (4) ensure Kansas information security office resources assigned or provided to executive branch agencies are in compliance with applicable laws and rules and regulations;
 - (5) coordinate cybersecurity efforts between executive branch agencies;
 - (6) provide guidance to executive branch agencies when compromise of personal information or computer resources has occurred or is likely to occur as the result of an identified high-risk vulnerability or threat; ~~and~~
 - (7) set cybersecurity policy and standards for executive branch agencies; and
 - (8) perform such other functions and duties as provided by law and as directed by the executive chief information technology officer.

Sec. 14. K.S.A. 75-7239 is hereby amended to read as follows: 75-7239. (a) There is hereby established within and as a part of the office of information technology

services the Kansas information security office. The Kansas information security office shall be administered by the CISO and be staffed appropriately to effect the provisions of the Kansas cybersecurity act.

(b) For the purpose of preparing the governor's budget report and related legislative measures submitted to the legislature, the Kansas information security office, established in this section, shall be considered a separate state agency and shall be titled for such purpose as the "Kansas information security office." The budget estimates and requests of such office shall be presented as from a state agency separate from the ~~department of administration office of information technology services~~, and such separation shall be maintained in the budget documents and reports prepared by the director of the budget and the governor, or either of them, including all related legislative reports and measures submitted to the legislature.

(c) Under direction of the CISO, the KISO shall:

(1) Administer the Kansas cybersecurity act;

(2) assist the executive branch in developing, implementing and monitoring strategic and comprehensive information security risk-management programs;

(3) facilitate executive branch information security governance, including the consistent application of information security programs, plans and procedures;

(4) using standards adopted by the information technology executive council, create and manage a unified and flexible control framework to integrate and normalize requirements resulting from applicable state and federal laws, and rules and regulations;

(5) facilitate a metrics, logging and reporting framework to measure the efficiency and effectiveness of state information security programs;

(6) provide the executive branch strategic risk guidance for information technology projects, including the evaluation and recommendation of technical controls;

(7) assist in the development of executive branch agency cybersecurity programs ~~that are in to ensure~~ compliance with applicable state and federal laws ~~and~~, rules and regulations, ~~executive branch policies and standards and policies~~ and standards adopted by the information technology executive council;

(8) perform audits of executive branch agencies for compliance with applicable state and federal laws, rules and regulations, executive branch policies and standards, and policies and standards adopted by the information technology executive council;

(9) coordinate the use of external resources involved in information security programs, including, but not limited to, interviewing and negotiating contracts and fees;

~~(9)~~(10) liaise with external agencies, such as law enforcement and other advisory bodies as necessary, to ensure a strong security posture;

~~(10)~~(11) assist in the development of plans and procedures to manage and recover business-critical services in the event of a cyberattack or other disaster;

~~(11)~~(12) assist executive branch agencies to create a framework for roles and responsibilities relating to information ownership, classification, accountability and protection;

~~(12)~~(13) ensure a cybersecurity training program is provided to executive branch agencies at no cost to the agencies awareness training program is made available to all branches of state government;

~~(13)~~ provide cybersecurity threat briefings to the information technology executive council;

~~(14)~~ provide an annual status report of executive branch cybersecurity programs of

~~executive branch agencies to the joint committee on information technology and the house committee on government, technology and security; and~~

~~(15)(14)~~ perform such other functions and duties as provided by law and as directed by the CISO.

~~(d) Results of audits conducted pursuant to subsection (c)(8) shall be confidential and shall not be subject to discovery or disclosure pursuant to the open records act, K.S.A. 45-215 et seq., and amendments thereto. The provisions of this subsection shall expire on July 1, 2028, unless the legislature reviews and acts to continue such provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2028.~~

Sec. 15. K.S.A. 75-7240 is hereby amended to read as follows: 75-7240. ~~(a)~~ The executive branch agency heads shall:

~~(a)(1)~~ Be solely responsible for security of all data and information technology resources under such agency's purview, irrespective of the location of the data or resources. Locations of data may include:

- ~~(1)(A)~~ Agency sites;
- ~~(2)(B)~~ agency real property;
- ~~(3)(C)~~ infrastructure in state data centers;
- ~~(4)(D)~~ third-party locations; and
- ~~(5)(E)~~ in transit between locations;

~~(b)(2)~~ ensure that an agency-wide information security program is in place;

~~(e)(3)~~ designate an information security officer to administer the agency's information security program that reports directly to executive leadership;

~~(d)(4)~~ participate in CISO-sponsored statewide cybersecurity program initiatives and services;

~~(e)(5)~~ implement policies and standards to ensure that all the agency's data and information technology resources are maintained in compliance with applicable state and federal laws and rules and regulations;

~~(f)(6)~~ implement appropriate cost-effective safeguards to reduce, eliminate or recover from identified threats to data and information technology resources;

~~(g)(7)~~ include all appropriate cybersecurity requirements in the agency's request for proposal specifications for procuring data and information technology systems and services;

~~(h)(1)(8) (A)~~ submit a ~~cybersecurity assessment~~ self-assessment report to the CISO by October 16 of each even-numbered year, including an executive summary of the findings, that assesses the extent to which ~~a computer, a computer program, a computer network, a computer system, a printer, an interface to a computer system, including mobile and peripheral devices, computer software, or the data processing of the agency or of a contractor of the agency is vulnerable to unauthorized access or harm, including the extent to which the agency's or contractor's electronically stored information is vulnerable to alteration, damage, erasure or inappropriate use;~~

~~(2)(B)~~ ensure that the agency conducts annual internal assessments of its security program. Internal assessment results shall be considered confidential and shall not be subject to discovery by or release to any person or agency, outside of the KISO or CISO, without authorization from the executive branch agency director or head. This provision regarding confidentiality shall expire on July 1, 2023, unless the legislature reviews and reenacts such provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2023; and

~~(3)(C) prepare or have prepared a summary financial summary identifying cybersecurity expenditures addressing the findings of the cybersecurity assessment self-assessment report required in paragraph (1) subparagraph (A), excluding information that might put the data or information resources of the agency or its contractors at risk and submit such report to the house of representatives committee on government, technology and security or its successor committee appropriations and the senate committee on ways and means;~~

~~(i) participate in annual agency leadership training to ensure understanding of: (1) The information and information systems that support the operations and assets of the agency; (2) The potential impact of common types of cyberattacks and data breaches on the agency's operations and assets; (3) how cyberattacks and data breaches on the agency's operations and assets could impact the operations and assets of other governmental entities on the state enterprise network; (4) how cyberattacks and data breaches occur; (5) steps to be undertaken by the executive director or agency head and agency employees to protect their information and information systems; and (6) the annual reporting requirements required of the executive director or agency head; and~~

~~(j)(9) ensure that if an agency owns, licenses or maintains computerized data that includes personal information, confidential information or information, the disclosure of which is regulated by law, such agency shall, in the event of a breach or suspected breach of system security or an unauthorized exposure of that information:~~

~~(H)(A) Comply with the notification requirements set out in K.S.A. 2022 Supp. 50-7a01 et seq., and amendments thereto, and applicable federal laws and rules and regulations, to the same extent as a person who conducts business in this state; and~~

~~(2)(B) not later than 48 hours after the discovery of the breach, suspected breach or unauthorized exposure, notify: (A)(i) The CISO; and (B)(ii) if the breach, suspected breach or unauthorized exposure involves election data, the secretary of state.~~

~~(b) The director or head of each state agency shall:~~

~~(1) Participate in annual agency leadership training to ensure understanding of:~~

~~(A) The potential impact of common types of cyberattacks and data breaches on the agency's operations and assets;~~

~~(B) how cyberattacks and data breaches on the agency's operations and assets may impact the operations and assets of other governmental entities on the state enterprise network;~~

~~(C) how cyberattacks and data breaches occur; and~~

~~(D) steps to be undertaken by the executive director or agency head and agency employees to protect their information and information systems;~~

~~(2) ensure that all information technology login credentials are disabled the same day that any employee ends their employment with the state; and~~

~~(3) require that all employees with access to information technology receive a minimum of one hour of information technology security training per year.~~

~~(c) (1) The CISO, with input from the joint committee on information technology and the joint committee on Kansas security, shall develop a self-assessment report template for use under subsection (a)(8)(A). The most recent version of such template shall be made available to state agencies prior to July 1 of each even-numbered year. The CISO shall aggregate data from the self-assessments received under subsection (a)(8)(A) and provide a summary of such data to the joint committee on information technology and the joint committee on Kansas security.~~

(2) Self-assessment reports made to the CISO pursuant to subsection (a)(8)(A) shall be confidential and shall not be subject to the provisions of the Kansas open records act, K.S.A. 45-215 et seq., and amendments thereto. The provisions of this paragraph shall expire on July 1, 2028, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2028.

Sec. 16. K.S.A. 75-7242 is hereby amended to read as follows: 75-7242. Information collected to effectuate this act shall be considered confidential by ~~the executive branch agency and KISO~~ all state and local governmental organizations unless all data elements or information that specifically identifies a target, vulnerability or weakness that would place the organization at risk have been redacted, including: (a) System information logs; (b) vulnerability reports; (c) risk assessment reports; (d) system security plans; (e) detailed system design plans; (f) network or system diagrams; and (g) audit reports. The provisions of this section shall expire on July 1, 2023, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2023.

Sec. 17. K.S.A. 46-2102, 74-5704, 75-7201, 75-7202, 75-7205, 75-7206, 75-7208, 75-7209, 75-7210, 75-7211, 75-7237, 75-7238, 75-7239, 75-7240 and 75-7242 are hereby repealed.";

And by renumbering sections accordingly;

Also 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 "company" and inserting "information technology; requiring reporting of significant cybersecurity incidents; changing membership, terms and quorum requirements for the information technology executive council; relating to information technology projects and reporting requirements; information technology security training and cybersecurity reports; duties of the chief information security officer; requiring certain information to be provided to the joint committee on information technology; amending K.S.A. 46-2102, 74-5704, 75-7201, 75-7202, 75-7205, 75-7206, 75-7208, 75-7209, 75-7210, 75-7211, 75-7237, 75-7238, 75-7239, 75-7240 and 75-7242 and repealing the existing sections";

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

RICK BILLINGER

J R CLAEYS

PAT PETTEY

Conferees on part of Senate

TROY WAYMASTER

KYLE HOFFMAN

HENRY HELGERSON

Conferees on part of House

Senator Billinger moved the Senate adopt the Conference Committee Report on **HB 2019**.

On roll call, the vote was: Yeas 38; Nays 0; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher,

Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: McGinn, Shallenburger.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2024** 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 10, by inserting:

"New Section 1. (a) (1) When an investigation of child abuse or neglect conducted pursuant to K.S.A. 38-2226, and amendments thereto, includes a CARE referral that a child abuse medical resource center has recommended a CARE exam be conducted and the CARE provider determines a child has been subjected to physical abuse, emotional abuse, medical neglect or physical neglect, such determination shall be reported in a completed review and provided to the secretary for children and families and the local law enforcement agency or the agency's designee.

(2) When the secretary receives a completed review pursuant to paragraph (1), the secretary shall consider and include the completed review in making recommendations regarding the care, safety and placement of the child and maintain the completed review in the case record.

(3) Reviews conducted pursuant to paragraph (1) shall be confidential and not be disclosed except as provided in this section and K.S.A. 38-2209 through 38-2213, and amendments thereto.

(b) To provide forensic evaluation services to a child alleged to be a victim of physical abuse, emotional abuse, medical neglect or physical neglect in investigations that include a CARE exam:

(1) Child abuse medical resource centers may collaborate directly or through technology with CARE providers to provide forensic medical evaluations, medical training, support, mentoring and peer review to enhance the skill and role of child abuse medical resource centers and the CARE providers in a multidisciplinary context;

(2) CARE providers and child abuse medical resource centers shall provide and receive specialized training for medical evaluations conducted in a hospital, child advocacy center or by a private healthcare professional without the need for an agreement between such center and provider; and

(3) the CARE network shall develop recommendations concerning the medical-based screening process and forensic evidence collection for a child and provide such recommendations to CARE providers, child advocacy centers, hospitals and licensed practitioners.

(c) To implement and administer this section, the secretary of health and environment shall:

(1) Provide training for CARE providers to establish and maintain compliance with the requirements of K.S.A. 38-2202, and amendments thereto;

- (2) assist in the implementation of subsection (b);
- (3) pay for and manage a network referral system database; and
- (4) adopt rules and regulations as necessary, subject to available appropriations.

(d) (1) A provider shall submit all charges for payment of reviews and CARE exams to the secretary of health and environment within 90 days after a review or exam has been performed.

(2) The secretary of health and environment shall pay all charges directly to the provider within 30 days after being submitted.

(3) The payment amount shall be for the exam at the rate not to exceed \$750 for providing such exam, excluding costs for treatment that may be required due to the diagnosis, or any facility fees, supplies or laboratory or radiology testing.

(4) If a provider is found to have submitted fraudulent charges, such provider shall be banned from the CARE network and the secretary of health and environment shall report such incident to the provider's licensing board. Such licensing board shall investigate such report to determine whether unprofessional conduct has occurred.

(5) On or before January 31, 2024, the secretary of health and environment shall prepare and present a report to the house of representatives standing committee on child welfare and foster care and the senate standing committee on public health and welfare, or their successor committees, of the activities and operations under this section. Such report shall include:

- (A) The number of providers who have submitted charges;
- (B) the number of reviews and CARE exams performed;
- (C) average charge submitted per review and CARE exam;
- (D) total amount paid out to providers;
- (E) the average number of days between when:
 - (i) A review or CARE exam is performed and charges are submitted; and
 - (ii) charges are submitted and paid to a provider; and
- (F) any findings of fraudulent charges.

(e) There is hereby established in the state treasury the child abuse review and evaluation fund, and such fund shall be administered by the secretary of health and environment. All expenditures from the child abuse review and evaluation fund shall be for payments of reviews, CARE exams, training of CARE providers and the implementation and administration of subsection (b), as needed. All expenditures from the child abuse review and evaluation 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. All moneys received for reviews, CARE exams and CARE provider training 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 child abuse review and evaluation fund.

(f) This section shall be a part of and supplemental to the revised Kansas code for care of children.

New Sec. 2. (a) This section shall be known and may be cited as the Representative Gail Finney memorial foster care bill of rights.

(b) Consistent with the policy of the state expressed in K.S.A. 38-2201 et seq., and amendments thereto, in order to ensure proper care and protection of a child in need of

care in the child welfare system, unless otherwise ordered by the court, such child shall have the right to:

(1) Live in a safe, comfortable placement, in accordance with K.S.A. 38-2255, and amendments thereto:

(A) Where such child lives in the least restrictive environment;

(B) where such child shall be treated with respect, have a place to store belongings and receive healthy food, adequate clothing and appropriate personal hygiene products;

(C) with siblings when possible; and

(D) upon proper investigation and consideration in accordance with K.S.A. 38-2242, and amendments thereto, with a relative, kinship care placement or someone from such child's community with similar religious beliefs or ethnic heritage;

(2) have visits with family;

(3) have as few placements as possible;

(4) have and maintain belongings by:

(A) Making a list of belongings to have when placed out of home;

(B) providing such list of belongings to such child's case manager;

(C) bringing such belongings when placed out of home; and

(D) if going on a visit or to a new placement, having belongings packed and transportable for the visit or move;

(5) have access to all appropriate school supplies, services, tutoring, extra-curricular, cultural and personal enrichment activities;

(6) attend school daily in accordance with K.S.A. 38-2218, and amendments thereto;

(7) receive a high school diploma if such child has earned the standard credits in accordance with K.S.A. 38-2285, and amendments thereto;

(8) be notified of all hearings held pursuant to the revised Kansas code for care of children, when age or developmentally appropriate;

(9) attend, in person or virtually, all court hearings held pursuant to the revised Kansas code for care of children, when age or developmentally appropriate;

(10) address the court regarding any proposed placement or placement change in accordance with K.S.A. 38-2262, and amendments thereto, when age or developmentally appropriate;

(11) have a guardian ad litem represent the best interests of the child, in accordance with K.S.A. 38-2205, and amendments thereto, and contact such child regularly;

(12) request an attorney who will represent the position of the child, if different than the determinations of the guardian ad litem, in accordance with K.S.A. 38-2205, and amendments thereto;

(13) have privacy to send and receive unopened mail and make and receive phone calls;

(14) have regular and private contact with and access to case managers, attorneys and advocates;

(15) access accurate and necessary information for such child's well-being from case managers, guardians and any person who is by law liable to maintain, care for or support the child;

(16) have as few changes in case managers as possible;

(17) contact a case manager's supervisor if there is a conflict that cannot be resolved between such child and such child's case manager;

(18) report a violation of this section without fear of punishment, interference, coercion or retaliation; and

(19) when transitioning out of the child welfare system:

(A) Be an active participant in developing a transition plan, as defined in K.S.A. 38-2202, and amendments thereto;

(B) have services and benefits explained;

(C) have a checking or savings account;

(D) learn to manage money, when age or developmentally appropriate;

(E) learn job skills that are age or developmentally appropriate; and

(F) be involved in life skills training and activities.

(c) Consistent with the policy of the state expressed in K.S.A. 38-2201 et seq., and amendments thereto, in order to ensure active participation of foster parents and kinship caregivers as an integral, indispensable and vital role in the state's efforts to care for children in the custody of the secretary, unless otherwise ordered by the court, such foster parents and kinship caregivers shall have the right to:

(1) Be treated by the Kansas department for children and families and other child welfare system stakeholders with dignity, respect and trust as a primary provider of care and support and a member of the professional team caring for a child in the custody of the secretary;

(2) not be discriminated in accordance with the Kansas act against discrimination, K.S.A. 44-1001, et seq., and amendments thereto, and federal law;

(3) continue with such foster parents' and kinship caregivers' own family values and beliefs with consideration given to the special needs of children who have experienced trauma and separation from their biological families, if the values and beliefs of the child and the biological family are respected and not infringed upon;

(4) make decisions concerning the child consistent with the policies, procedures and other directions of the Kansas department for children and families and within the limits of state and federal law;

(5) receive standardized preservice training by the Kansas department for children and families or the department's designee and at appropriate intervals to meet mutually assessed needs of the child, such foster parents and kinship caregivers;

(6) receive timely financial reimbursement and be notified of any costs or expenses for which such foster parents and kinship caregivers may be eligible for reimbursement in accordance with K.S.A. 38-2216, and amendments thereto;

(7) receive information regarding services and contact the Kansas department for children and families or the department's designee during regular business hours and, in the event of an emergency, by telephone after business hours;

(8) receive any information on issues concerning the child and known to the Kansas department for children and families or the department's designee that is relevant to the care of the child or that may jeopardize the health and safety of the foster family, the kinship care placement or the child or alter the manner in which care and services should be administered prior to the placement of such child;

(9) discuss known information regarding the child prior to placement and be provided additional information from the Kansas department for children and families or the department's designee as such information becomes available under state and federal law;

(10) refuse placement of a child in such foster parents' and kinship caregivers'

home or request the removal of a child from such foster parents' and kinship caregivers' home after providing reasonable notice;

(11) receive any available information through the Kansas department for children and families regarding the number of times a child has been placed and the reasons for such placements, and receive the names and phone numbers of any previous placements if such placements have authorized such a release by law;

(12) receive information from the Kansas department for children and families that is relevant to the care of a child when the child is placed with such foster parents and kinship caregivers;

(13) provide input and participate in the case planning process for the child and participate in and be informed about the planning of visitation between the child and the child's biological family, recognizing that visitation with the child's biological family is important, in accordance with K.S.A. 38-2255, and amendments thereto;

(14) communicate with the child's child welfare case management provider and share and obtain relevant and appropriate information regarding such child's placement;

(15) communicate with members of the child's professional team, including, but not limited to, such child's child welfare management provider, therapists, physicians and teachers as allowed by rules and regulations and state and federal law, for the purpose of participating in such child's case plan;

(16) be notified in advance of any court hearing or review where the case plan or permanency of the child is an issue, including periodic reviews held by the court, in accordance with the revised Kansas code for care of children;

(17) be considered as a placement option, if a child who was formerly placed with such parents or kinship caregivers is in the custody of the secretary again;

(18) continue contact and communication with a child subsequent to the child's placement from such foster parents' and kinship caregivers' home, subject to the approval of the child and the child's biological parents, if such biological parents' rights have not been terminated;

(19) direct questions to the Kansas department for children and families regarding information, concerns, policy violations and a corrective action plan relating to licensure as a family foster home;

(20) have the rights described in this section be given full consideration when the Kansas department for children and families develops and approves policies regarding placement and permanency;

(21) submit a report to the court pursuant to K.S.A. 38-2261, and amendments thereto; and

(22) request a court hearing regarding a change of placement notice pursuant to K.S.A. 38-2258, and amendments thereto, if a child has been placed with the same foster parents for six months or longer.

(d) (1) The secretary shall provide written and oral notification to foster youth, foster parents and kinship caregivers of the rights created under this section and information for filing complaints.

(2) The secretary shall make a list of the rights created under this section digitally available on the secretary's website.

(3) Each child welfare management provider shall make available physical and digital copies of a list of the rights created under this section.

(e) This section shall not be construed to create a private right of action

independent of the revised Kansas code for care of children, but may be enforced through equitable relief as a part of the corresponding case under the revised Kansas code for care of children.

(f) This section shall be a part of and supplemental to the revised Kansas code for care of children.";

Also on page 1, by striking all in lines 30 through 32;

By striking all on page 2;

On page 3, by striking all in lines 1 through 12; following line 12, by inserting:

"Sec. 4. K.S.A. 38-2202 is hereby amended to read as follows: 38-2202. As used in the revised Kansas code for care of children, unless the context otherwise indicates:

(a) "Abandon" or "abandonment" means to forsake, desert or, without making appropriate provision for substitute care, cease providing care for the child.

(b) "Adult correction facility" means any public or private facility, secure or nonsecure, that is used for the lawful custody of accused or convicted adult criminal offenders.

(c) "Aggravated circumstances" means the abandonment, torture, chronic abuse, sexual abuse or chronic, life threatening neglect of a child.

(d) "Child in need of care" means a person less than 18 years of age at the time of filing of the petition or issuance of an ex parte protective custody order pursuant to K.S.A. 38-2242, and amendments thereto, who:

(1) Is without adequate parental care, control or subsistence and the condition is not due solely to the lack of financial means of the child's parents or other custodian;

(2) is without the care or control necessary for the child's physical, mental or emotional health;

(3) has been physically, mentally or emotionally abused or neglected or sexually abused;

(4) has been placed for care or adoption in violation of law;

(5) has been abandoned or does not have a known living parent;

(6) is not attending school as required by K.S.A. 72-3421 or 72-3120, and amendments thereto;

(7) except in the case of a violation of K.S.A. 41-727, ~~K.S.A. 74-8810(j), K.S.A. 79-3321(m) or (n), or K.S.A. 2022 Supp. 21-6301(a)(14)~~, and amendments thereto, or, except as provided in paragraph (12), does an act which, when committed by a person under 18 years of age, is prohibited by state law, city ordinance or county resolution, but which is not prohibited when done by an adult;

(8) while less than 10 years of age, commits any act that if done by an adult would constitute the commission of a felony or misdemeanor as defined by K.S.A. 2022 Supp. 21-5102, and amendments thereto;

(9) is willfully and voluntarily absent from the child's home without the consent of the child's parent or other custodian;

(10) is willfully and voluntarily absent at least a second time from a court ordered or designated placement, or a placement pursuant to court order, if the absence is without the consent of the person with whom the child is placed or, if the child is placed in a facility, without the consent of the person in charge of such facility or such person's designee;

(11) has been residing in the same residence with a sibling or another person under 18 years of age, who has been physically, mentally or emotionally abused or neglected,

or sexually abused;

(12) while less than 10 years of age commits the offense defined in K.S.A. 2022 Supp. 21-6301(a)(14), and amendments thereto;

(13) has had a permanent custodian appointed and the permanent custodian is no longer able or willing to serve; or

(14) has been subjected to an act that would constitute human trafficking or aggravated human trafficking, as defined by K.S.A. 2022 Supp. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, as defined by K.S.A. 2022 Supp. 21-6422, and amendments thereto, or has committed an act which, if committed by an adult, would constitute selling sexual relations, as defined by K.S.A. 2022 Supp. 21-6419, and amendments thereto.

(e) "Child abuse medical resource center" means a medical institution affiliated with an accredited children's hospital or a recognized institution of higher education that has an accredited medical school program with board-certified child abuse pediatricians who provide training, support, mentoring and peer review to CARE providers on CARE exams.

(f) "Child abuse review and evaluation exam" or "CARE exam" means a forensic medical evaluation of a child alleged to be a victim of abuse or neglect conducted by a CARE provider.

(g) "Child abuse review and evaluation network" or "CARE network" means a network of CARE providers, child abuse medical resource centers and any medical provider associated with a child advocacy center that has the ability to conduct a CARE exam that collaborate to improve services provided to a child alleged to be a victim of abuse or neglect.

(h) "Child abuse review and evaluation provider" or "CARE provider" means a person licensed to practice medicine and surgery, advanced practice registered nurse or licensed physician assistant who performs CARE exams of and provides medical diagnosis and treatment to a child alleged to be a victim of abuse or neglect and who receives:

(1) Kansas-based initial intensive training regarding child maltreatment from the CARE network;

(2) continuous trainings on child maltreatment from the CARE network; and

(3) peer review and new provider mentoring regarding medical evaluations from a child abuse medical resource center.

(i) "Child abuse review and evaluation referral" or "CARE referral" means a brief written review of allegations of physical abuse, emotional abuse, medical neglect or physical neglect submitted by the secretary or law enforcement agency to a child abuse medical resource center for a recommendation of such child's need for medical care that may include a CARE exam.

(j) "Citizen review board" is a group of community volunteers appointed by the court and whose duties are prescribed by K.S.A. 38-2207 and 38-2208, and amendments thereto.

(k) "Civil custody case" includes any case filed under chapter 23 of the Kansas Statutes Annotated, and amendments thereto, the Kansas family law code, article 11 of chapter 38 of the Kansas Statutes Annotated, and amendments thereto, determination of parentage, article 21 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, adoption and relinquishment act, or article 30 of chapter 59 of the Kansas

Statutes Annotated, and amendments thereto, guardians and conservators.

~~(g)~~(l) "Court-appointed special advocate" means a responsible adult other than an attorney guardian ad litem who is appointed by the court to represent the best interests of a child, as provided in K.S.A. 38-2206, and amendments thereto, in a proceeding pursuant to this code.

~~(h)~~(m) "Custody" whether temporary, protective or legal, means the status created by court order or statute that vests in a custodian, whether an individual or an agency, the right to physical possession of the child and the right to determine placement of the child, subject to restrictions placed by the court.

~~(i)~~(n) "Extended out of home placement" means a child has been in the custody of the secretary and placed with neither parent for 15 of the most recent 22 months beginning 60 days after the date at which a child in the custody of the secretary was removed from the child's home.

~~(j)~~(o) "Educational institution" means all schools at the elementary and secondary levels.

~~(k)~~(p) "Educator" means any administrator, teacher or other professional or paraprofessional employee of an educational institution who has exposure to a pupil specified in K.S.A. 72-6143(a), and amendments thereto.

~~(l)~~(q) "Harm" means physical or psychological injury or damage.

~~(m)~~(r) "Interested party" means the grandparent of the child, a person with whom the child has been living for a significant period of time when the child in need of care petition is filed, and any person made an interested party by the court pursuant to K.S.A. 38-2241, and amendments thereto, or Indian tribe seeking to intervene that is not a party.

~~(n)~~(s) "Jail" means:

- (1) An adult jail or lockup; or
- (2) a facility in the same building or on the same grounds as an adult jail or lockup, unless the facility meets all applicable standards and licensure requirements under law and there is: (A) Total separation of the juvenile and adult facility spatial areas such that there could be no haphazard or accidental contact between juvenile and adult residents in the respective facilities; (B) total separation in all juvenile and adult program activities within the facilities, including recreation, education, counseling, health care, dining, sleeping and general living activities; and (C) separate juvenile and adult staff, including management, security staff and direct care staff such as recreational, educational and counseling.

~~(o)~~(t) "Juvenile detention facility" means any secure public or private facility used for the lawful custody of accused or adjudicated juvenile offenders that must not be a jail.

~~(p)~~(u) "Juvenile intake and assessment worker" means a responsible adult authorized to perform intake and assessment services as part of the intake and assessment system established pursuant to K.S.A. 75-7023, and amendments thereto.

~~(q)~~(v) "Kinship care placement" means the placement of a child in the home of an adult with whom the child or the child's parent already has close emotional ties.

(w) "Kinship caregiver" means an adult who the secretary has selected for placement for a child in need of care with whom the child or the child's parent already has close emotional ties.

~~(r)~~(x) "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 crimes, whether that duty extends to all crimes or is limited to specific crimes.

~~(s)~~(y) "Multidisciplinary team" means a group of persons, appointed by the court under K.S.A. 38-2228, and amendments thereto, that has knowledge of the circumstances of a child in need of care.

~~(t)~~(z) "Neglect" means acts or omissions by a parent, guardian or person responsible for the care of a child resulting in harm to a child, or presenting a likelihood of harm, and the acts or omissions are not due solely to the lack of financial means of the child's parents or other custodian. Neglect may include, but shall not be limited to:

(1) Failure to provide the child with food, clothing or shelter necessary to sustain the life or health of the child;

(2) failure to provide adequate supervision of a child or to remove a child from a situation that requires judgment or actions beyond the child's level of maturity, physical condition or mental abilities and that results in bodily injury or a likelihood of harm to the child; or

(3) failure to use resources available to treat a diagnosed medical condition if such treatment will make a child substantially more comfortable, reduce pain and suffering, or correct or substantially diminish a crippling condition from worsening. A parent legitimately practicing religious beliefs who does not provide specified medical treatment for a child because of religious beliefs shall, not for that reason, be considered a negligent parent; however, this exception shall not preclude a court from entering an order pursuant to K.S.A. 38-2217(a)(2), and amendments thereto.

~~(u)~~(aa) "Parent" when used in relation to a child or children, includes a guardian and every person who is by law liable to maintain, care for or support the child.

~~(v)~~(bb) "Party" means the state, the petitioner, the child, any parent of the child and an Indian child's tribe intervening pursuant to the Indian child welfare act.

~~(w)~~(cc) "Permanency goal" means the outcome of the permanency planning process, which may be reintegration, adoption, appointment of a permanent custodian or another planned permanent living arrangement.

~~(x)~~(dd) "Permanent custodian" means a judicially approved permanent guardian of a child pursuant to K.S.A. 38-2272, and amendments thereto.

~~(y)~~(ee) "Physical, mental or emotional abuse" means the infliction of physical, mental or emotional harm or the causing of a deterioration of a child and may include, but shall not be limited to, maltreatment or exploiting a child to the extent that the child's health or emotional well-being is endangered.

~~(z)~~(ff) "Placement" means the designation by the individual or agency having custody of where and with whom the child will live.

~~(aa)~~(gg) "Qualified residential treatment program" means a program designated by the secretary for children and families as a qualified residential treatment program pursuant to federal law.

~~(bb)~~(hh) "Reasonable and prudent parenting standard" means the standard characterized by careful and sensible parental decisions that maintain the health, safety and best interests of a child while at the same time encouraging the emotional and developmental growth of the child, that a caregiver shall use when determining whether to allow a child in foster care under the responsibility of the state to participate in extracurricular, enrichment, cultural and social activities.

~~(ee)~~(ii) "Relative" means a person related by blood, marriage or adoption.

~~(dd)~~(jj) "Runaway" means a child who is willfully and voluntarily absent from the child's home without the consent of the child's parent or other custodian.

~~(ee)~~(kk) "Secretary" means the secretary for children and families or the secretary's designee.

~~(ff)~~(ll) "Secure facility" means a facility, other than a staff secure facility or juvenile detention facility, that is operated or structured so as to ensure that all entrances and exits from the facility are under the exclusive control of the staff of the facility, whether or not the person being detained has freedom of movement within the perimeters of the facility, or that relies on locked rooms and buildings, fences or physical restraint in order to control behavior of its residents. No secure facility shall be in a city or county jail.

~~(gg)~~(mm) "Sexual abuse" means any contact or interaction with a child in which the child is being used for the sexual stimulation of the perpetrator, the child or another person. Sexual abuse shall include, but is not limited to, allowing, permitting or encouraging a child to:

(1) Be photographed, filmed or depicted in pornographic material; or

(2) be subjected to aggravated human trafficking, as defined in K.S.A. 2022 Supp. 21-5426(b), and amendments thereto, if committed in whole or in part for the purpose of the sexual gratification of the offender or another, or be subjected to an act that would constitute conduct proscribed by article 55 of chapter 21 of the Kansas Statutes Annotated or K.S.A. 2022 Supp. 21-6419 or 21-6422, and amendments thereto.

~~(hh)~~(nn) "Shelter facility" means any public or private facility or home, other than a juvenile detention facility or staff secure facility, that may be used in accordance with this code for the purpose of providing either temporary placement for children in need of care prior to the issuance of a dispositional order or longer term care under a dispositional order.

~~(ii)~~(oo) "Staff secure facility" means a facility described in K.S.A. 65-535, and amendments thereto: (1) That does not include construction features designed to physically restrict the movements and activities of juvenile residents who are placed therein; (2) that may establish reasonable rules restricting entrance to and egress from the facility; and (3) in which the movements and activities of individual juvenile residents may, for treatment purposes, be restricted or subject to control through the use of intensive staff supervision. No staff secure facility shall be in a city or county jail.

~~(jj)~~(pp) "Transition plan" means, when used in relation to a youth in the custody of the secretary, an individualized strategy for the provision of medical, mental health, education, employment and housing supports as needed for the adult and, if applicable, for any minor child of the adult, to live independently and specifically provides for the supports and any services for which an adult with a disability is eligible including, but not limited to, funding for home and community based services waivers.

~~(kk)~~(qq) "Youth residential facility" means any home, foster home or structure that provides 24-hour-a-day care for children and that is licensed pursuant to article 5 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.;"

On page 2, in line 15, after the semicolon, by inserting "the Representative Gail Finney memorial foster care bill of rights, section 2, and amendments thereto.;"

On page 3, following line 12, by inserting:

Sec. 6. K.S.A. 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. 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.

(i) Child abuse review and evaluation referrals. (1) Upon investigation by law enforcement or assignment by the secretary of any investigation of physical abuse or physical neglect conducted pursuant to this section that concerns a child five years of age or younger, the secretary, the law enforcement agency or the agency's designee shall make a CARE referral for such child.

(2) In any other investigation of physical abuse, emotional abuse, medical neglect or physical neglect conducted pursuant to this section, the secretary, the law enforcement agency or the agency's designee may make a CARE referral for such child.

Sec. 7. K.S.A. 38-2258 is hereby amended to read as follows: 38-2258. (a) Except as provided in K.S.A. 38-2255(d)(2) and 38-2259, and amendments thereto, if a child has been in the same foster home, kinship care placement or shelter facility for six months or longer, or has been placed by the secretary in the home of a parent or relative, the secretary shall give written notice of any plan to move the child to a different placement unless the move is to the selected preadoptive family for the purpose of facilitating adoption. The notice shall be given to: (1) The court having jurisdiction over the child; (2) the petitioner; (3) the attorney for the parents, if any; (4) each parent whose address is available; (5) the foster parent or custodian from whose home or shelter facility it is proposed to remove the child; (6) the child, if 12 or more years of age; (7) the child's guardian ad litem; (8) any other party or interested party; and (9) the child's court appointed special advocate.

(b) The notice shall state the placement to which the secretary plans to transfer the child and the reason for the proposed action. The notice shall be mailed by first class mail 30 days in advance of the planned transfer, except that the secretary shall not be required to wait 30 days to transfer the child if all persons enumerated in subsection (a) (2) through (8) consent in writing to the transfer.

(c) Within 14 days after receipt of the notice, any person enumerated in subsection (a)(2) through (8) receiving notice as provided above may request, either orally or in writing, that the court conduct a hearing to determine whether or not the change in placement is in the best interests of the child concerned. When the request has been received, the court shall schedule a hearing and immediately notify the secretary of the request and the time and date the matter will be heard. The court shall give notice of the hearing to persons enumerated in subsection (a)(2) through (9). If the court does not receive a request for hearing within the specified time, the change in placement may occur prior to the expiration of the 30 days. The secretary shall not change the placement of the child, except for the purpose of adoption, unless the change is

approved by the court.

(d) When, after the notice set out above, a child in the custody of the secretary is removed from the home of a parent after having been placed in the home of a parent for a period of six months or longer, the secretary shall request a finding that:

(1) (A) The child is likely to sustain harm if not immediately removed from the home;

(B) allowing the child to remain in home is contrary to the welfare of the child; or

(C) immediate placement of the child is in the best interest of the child; and

(2) reasonable efforts have been made to maintain the family unit and prevent the unnecessary removal of the child from the child's home or that an emergency exists which threatens the safety to the child.

(e) The secretary shall present to the court in writing the efforts to maintain the family unit and prevent the unnecessary removal of the child from the child's home. In making the findings, the court may rely on documentation submitted by the secretary or may set the date for a hearing on the matter. If the secretary requests such finding, the court, not more than 45 days from the date of the request, shall provide the secretary with a written copy of the findings by the court for the purpose of documenting these orders.

Sec. 8. K.S.A. 38-2261 is hereby amended to read as follows: 38-2261. The secretary shall notify the foster parent or ~~parents~~ kinship caregivers that the foster parent or ~~parents~~ kinship caregivers have a right to submit a report. Copies of the report shall be available to the parties and interested parties. The report made by foster parents shall be on a form created and provided by the Kansas department for children and families.";

On page 7, in line 40, after the first "K.S.A." by inserting "38-2202,"; also in line 40, after "38-2203" by inserting ", 38-2226, 38-2258, 38-2261";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after "the" by inserting revised Kansas code for care of children, federal Indian child welfare act,"; in line 2, after the semicolon by inserting "relating to procedures in investigations of child abuse or neglect; requiring a child abuse review and evaluation referral; creating a program in the department of health and environment for the training and payment for child abuse reviews and exams; enacting the Representative Gail Finney memorial foster care bill of rights; granting rights to kinship caregivers under the revised Kansas code for care of children,"; in line 6, after "K.S.A." by inserting "38-2202,"; also in line 6, after "38-2203" by inserting ", 38-2226, 38-2258, 38-2261";

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

BEVERLY GOSSAGE

RENEE ERICKSON

PAT PETTEY

Conferees on part of Senate

SUSAN CONCANNON

TIMOTHY JOHNSON

JARROD OUSLEY

Conferees on part of House

Senator Gossage moved the Senate adopt the Conference Committee Report on **HB 2024**.

On roll call, the vote was: Yeas 36; Nays 1; Present and Passing 1; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Straub, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Tyson.

Present and Passing: Steffen.

Absent or Not Voting: McGinn, Shallenburger.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2094** 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 8 through 36;

By striking all on page 2;

On page 3, by striking all in lines 1 through 40; following line 40, by inserting:

"Section 1. K.S.A. 2022 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; or

(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 that 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~~ violence or sexual assault;

(D) is involved with prevention and protection services and has an open social service plan; or

(E) is determined by the 24th 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 that the applicant:

(A) Can document an existing certification verifying completion of the work program assessment;

(B) has a valid offer of employment or is employed a minimum of 20 hours a week;

- (C) is a parenting teen without a GED or high school diploma;
 - (D) is enrolled in job corps;
 - (E) is working with a refugee social services agency; or
 - (F) has completed the work program assessment within the last 12 months.
- (3) The Kansas 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) (A) 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.

(B) In order to meet federal work participation requirements, households shall meet at least 30 hours of participation per week, at least 20 hours of which shall 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 shall participate in a combined total of 55 hours per week, 50 hours of which shall 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 the Kansas 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.

(C) 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 shall be exempt from work participation activities until the month the child attains 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 by:

(A) Either parent when two parents are in the home and the household meets the two-parent definition for federal reporting purposes;

(B) 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) 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 attains 20 years of age; or

(D) 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. A TANF participant shall provide current documentation by a qualified medical practitioner that details the ability to engage in employment and any limitation 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, as defined in K.S.A. 39-702, and amendments thereto, with work programs shall be as follows, for a:

- (A) First penalty, three months and full cooperation with work program activities;
- (B) second penalty, six months and full cooperation with work program activities;
- (C) third penalty, one year and full cooperation with work program activities; and
- (D) fourth or subsequent penalty, 10 years.

(9) Individuals who 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) (A) 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, as defined in K.S.A. 39-702, and amendments thereto, with child support services shall be as follows, for a:~~

~~(A)(i) First penalty, three months and cooperation with child support services prior to regaining eligibility;~~

~~(B)(ii) second penalty, six months and cooperation with child support services prior to regaining eligibility;~~

~~(C)(iii) third penalty, one year and cooperation with child support services prior to regaining eligibility; and~~

~~(D)(iv) fourth penalty, 10 years.~~

(B) (i) The period of ineligibility for child care subsidy based on parents' non-cooperation, as defined in K.S.A. 39-702, and amendments thereto, with child support services shall be as follows, for a:

(a) First penalty, three months and cooperation with child support services prior to regaining eligibility;

(b) second penalty, six months and cooperation with child support services prior to

regaining eligibility:

(c) third penalty, one year and cooperation with child support services prior to regaining eligibility; and

(d) fourth penalty, 10 years.

(ii) The secretary, or the secretary's designee, shall review child support compliance of a parent:

(a) Upon application for child care subsidy;

(b) after 12 months of continuous eligibility for child care subsidy; and

(c) following such 12 months of continuous eligibility when the secretary renews or redetermines a parent's eligibility for child care subsidy.

(11) Individuals who 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. 2022 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 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. 2022 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. 2022 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 who 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 Kansas department for children and families determines that such individual is cooperating with the fraud investigation. The Kansas 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, that 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 such individual has 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) (i) 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.

(ii) 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 that 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 for:

(A) Determining eligibility for the child care subsidy program, including an income of a cohabiting partner in a child care household; and

(B) 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;

(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 Kansas 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 United States 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 United States 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 for a:

- (i) First penalty, three months;
- (ii) second penalty, six months; and
- (iii) third penalty and any subsequent penalty, one year.

(D) The Kansas department for children and families shall assign all individuals subject to the requirements established under 7 U.S.C. § 2015(d)(1) to an employment and training program as defined in 7 U.S.C. § 2015(d)(4). The provisions of this subparagraph shall only apply to:

- (i) Able-bodied adults aged 18 through 49 without dependents; ~~and~~
- (ii) work registrants aged 50 through 59 without dependents not exempt from 7 U.S.C. § 2015(d)(2); and
- (iii) individuals who are not employed at least 30 hours per week.

(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 United States department of agriculture. Non-citizen individuals who are unable or unwilling to provide qualifying immigrant documentation, as defined by the United States 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 United States 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) The Kansas 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 is funded:

(a) 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) 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 shall 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 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 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. 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~~ subsidy 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~~ subsidy 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 that is classified as a felony by the law of the jurisdiction and 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 that is classified as a felony by the law of the jurisdiction and 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 provisions.

(B) "Controlled substance" means the same as in K.S.A. 2022 Supp. 21-5701, and amendments thereto, and 21 U.S.C. § 802.

(C) "Controlled substance analog" means the same as in K.S.A. 2022 Supp. 21-5701, and amendments thereto.";

Also on page 3, in line 41, by striking "40-3203" and inserting "2022 Supp. 39-709"; in line 43, by striking "Kansas register" and inserting "statute book";

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 semicolon and inserting "public assistance; relating to child care assistance; non-cooperation with child support; requiring the secretary to conduct reviews of cooperation; requiring work registrants aged 50 through 59 to complete an employment and training program to receive food assistance; also in line 4, by striking "40-3203" and inserting "2022 Supp. 39-709";

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

BEVERLY GOSSAGE

RENEE ERICKSON

Conferees on part of Senate

FRANCIS AWERKAMP

LEAH HOWELL

Conferees on part of House

Senator Gossage moved the Senate adopt the Conference Committee Report on **HB 2094**.

On roll call, the vote was: Yeas 26; Nays 12; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Thompson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Tyson, Ware.

Absent or Not Voting: McGinn, Shallenburger.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2234** 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 12 through 34;

By striking all on page 2;

On page 3, by striking lines 1 through 20; following line 20, by inserting:

"New Section 1. Sections 1 through 8, and amendments thereto, shall be known and may be cited as the Kansas film and digital media production development act. The purpose of the Kansas film and digital media production development act is to incentivize film, video or digital media productions in Kansas and facilitate the

development and growth of a film, video or digital media production industry and associated businesses supporting the industry in this state.

New Sec. 2. As used in this act:

(a) "Above-the-line personnel" means any individual hired or credited on screen for an eligible production for work on the production or postproduction of film as a:

(1) Principal cast member compensated for the eligible production project at a screen actors guild schedule f or above payment rate; or

(2) producer, screenwriter or director.

(b) "Act" means the Kansas film and digital media production development act.

(c) "Affiliates" means those entities that are included in the production company's affiliated group as defined in section 1504(a) of the internal revenue code, 26 U.S.C. § 1504(a), and all other entities that are 50% or more owned, directly or indirectly, by members of the affiliated group.

(d) "Based in Kansas" or "Kansas-based" means, in reference to a vendor, production company or company, that the vendor, production company or company is subject to income tax liability under the Kansas income tax act and has a physical presence in Kansas and, with respect to a production company, has maintained a physical presence in Kansas for at least six months prior to submitting an application to the secretary pursuant to section 3, and amendments thereto.

(e) "Certified production" or "certified project" means an eligible production that has agreed to one or more qualified Kansas promotions and that has been approved by the secretary of commerce as eligible for tax incentives pursuant to the provisions of section 3, and amendments thereto.

(f) "Crew" means any individual who works on production or postproduction for an eligible production. "Crew" does not include above-the-line personnel.

(g) (1) "Eligible production" or "eligible project" means a production:

(A) (i) Of a new film, video or digital project, or a portion or portions of such project, produced in this state, including a feature film, documentary, series, pilot, movie for television, televised commercial advertisement, music video, video game, content-based mobile application or a virtual reality, augmented reality, multi-media or new media project;

(ii) produced in whole or in part, in short or in long form, and may include animation, music and green screen, motion capture and similar production techniques;

(iii) fixed on a delivery system including, but not limited to, film format or reels, videotape, computer drive or disc, laser disc or any element of the digital domain, from which the program or completed project is viewed or reproduced; and

(iv) intended for multimarket commercial distribution via theaters, video on demand, direct to DVD, streaming, digital platforms or electronic delivery systems designed for the distribution or playing of interactive games, licensing for exhibition by individual television stations, groups of stations, networks, advertiser-supported sites, cable television stations, streaming companies or public broadcasting stations; and

(B) that incurs or is reasonably anticipated to incur qualified production or postproduction expenses of at least \$50,000, as determined by the secretary.

(2) "Eligible production" or "eligible project" does not include:

(A) The coverage of news or athletic events, local advertising, local interest programming, instructional videos, corporate videos, any project that is not intended for multimarket commercial distribution or any portion of a project not shot, recorded or

created in Kansas; and

(B) any production of obscene material or an obscene performance as defined in K.S.A. 2022 Supp. 21-6401, and amendments thereto.

(3) For purposes of the income tax credit as allowed under section 4(f), and amendments thereto, "eligible production" or "eligible project" means the same as defined in paragraphs (1) and (2), except that a production not intended for multimarket commercial distribution may be included and the amount of eligible expenses required shall be at least \$25,000.

(h) "Eligible television series" means a certified series television production project intended for multimarket commercial distribution, with an order for multiple episodes in a single season, not less than 25% of the series season is filmed within Kansas and the production incurs qualifying eligible expenses of more than \$50,000.

(i) "Eligible wages and salaries" means:

(1) (A) Wages or salaries paid by the production company to crew for work in Kansas designated as for production or for postproduction of an eligible production;

(B) for which the production company is required to remit withholding payments to the department of revenue under the Kansas withholding and declaration of estimated tax act; and

(C) at least 10% of the crew are residents of this state. The secretary and the Kansas arts industry director may agree upon a higher percentage requirement; and

(2) the amounts of wages, salaries or payments paid to above-the-line personnel, except that the eligible amount of such wages, salaries or payments shall not comprise more than 25% of qualified production expenditures as defined in subsection (s).

(j) "Film" means a professional single media, multimedia, video or audiovisual program or feature, that may be digital, that is not obscene material or an obscene performance as defined in K.S.A. 2022 Supp. 21-6401, and amendments thereto. "Film" includes, but is not limited to, film produced for an interactive game or a documentary, special, music video, television commercial or television program, or a portion thereof, that is filmed or taped for cable, television, streaming network, national or regional syndication or for a feature-length motion picture intended for theatrical release or for network, streaming, national or regional syndication or broadcast.

(k) "High-impact production" means a certified production for which production or postproduction expenditures are at least \$50,000,000, and at least $\frac{1}{3}$ of such total expenditures constitute qualified expenditures approved by the secretary of commerce.

(l) "Kansas film media industry development expenditure" means documented financial, promotional or in-kind contributions or educational or workforce development efforts, at standard rates set by the secretary of commerce in consultation with the Kansas creative arts industries commission, in partnership with related Kansas industry labor organizations or educational institutions, toward the furtherance of the Kansas film or digital media industry. Promotional efforts include, but are not limited to, the promotion of the Kansas industry by directors, actors or producers affiliated with the production company's project through social media that is managed by the state, radio or television interviews facilitated by the department of commerce, enhanced screen credit acknowledgments or related events that are facilitated, conducted or sponsored by the secretary of commerce or the Kansas creative arts industries commission.

(m) "Multi-film deal" means a certified project in which a production company

films at least 75% of main crew principal photography for three or more films in this state within five years.

(n) "Nonresident crew member" means an individual who is not a Kansas resident and is hired for work on an eligible production project within this state.

(o) "Production company" means a person, producer or company that produces film for, including, but not limited to, exhibition in theaters, television, interactive games, cable, syndication or streaming networks. "Production company" includes affiliates of a production company when approved by the secretary and identified in the agreement executed pursuant to section 3, and amendments thereto.

(p) (1) "Postproduction expenditures" means expenditures made in Kansas directly for postproduction activities in Kansas for an eligible production by a production company and includes, but are not limited to, the following categories:

(A) Eligible wages or salaries of above-the-line personnel or crew designated as postproduction;

(B) sound synchronization, recording or mixing;

(C) color grading;

(D) editing and related services;

(E) visual effects or special effects;

(F) computer graphics, special effects or animation services;

(G) film processing or format transfers;

(H) music production, recording, mixing or composition;

(I) licensing of music produced in this state or created by a Kansas resident;

(J) rental of facilities or equipment;

(K) leasing of vehicles, including leasing of airplanes, for postproduction-related transportation and costs of food and lodging; and

(L) other direct postproduction costs of an eligible production in accordance with generally accepted entertainment industry practices.

(2) "Postproduction expenditures" does not include:

(A) Goods, equipment or vehicles not purchased, rented or leased in Kansas from a Kansas-based vendor and when not used in Kansas;

(B) any expenditures for activities, work or services not conducted in Kansas and not performed by a Kansas-based vendor. A vendor that acts as a conduit to enable purchases, rentals or leases to qualify as "production expenditures" that would not otherwise qualify shall not be considered a Kansas-based vendor with respect to such purchases, rentals or leases; or

(C) costs for footage shot outside this state, marketing, story rights or distribution.

(q) (1) "Production expenditures" means expenditures made in Kansas directly related to or used for production activities in this state for an eligible production by a production company, including, but not limited to, the following categories:

(A) Eligible wages or salaries of above-the-line personnel or crew designated as production;

(B) set construction, maintenance, repair or modification, set furnishings and operations, wardrobe, make-up, materials used to construct costumes, props or scenery, accessories and related services;

(C) scripts, musical scores or storyboards and drafting and design supplies;

(D) photography, sound synchronization, lighting and related services;

(E) editing and related services;

(F) rental of buildings, facilities or equipment and leasing of vehicles, including, but not limited to, leasing of airplanes;

(G) transportation costs, including, but not limited to, leasing of vehicles or airplanes, directly related to production activities in Kansas;

(H) food and lodging;

(I) sound recording or mixing services;

(J) computer graphics, special effects and animation services;

(K) film processing or format transfers;

(L) airfare if purchased through a Kansas travel agency;

(M) insurance costs and bonding if purchased through a Kansas insurance agency; and

(N) other direct costs of producing film in accordance with generally accepted entertainment industry practices.

(2) "Production expenditures" does not include:

(A) Goods, equipment or vehicles not purchased, rented or leased in Kansas from a Kansas-based vendor;

(B) any expenditures for activities, work or services not conducted in Kansas and services not performed at the filming site unless the vendor is a Kansas-based vendor; and

(C) postproduction expenditures as defined in subsection (p) when used for postproduction activities.

(r) "Qualified postproduction expenditures" means the funds actually invested and expended by a production company that are postproduction expenditures made in this state and that are directly used in a certified production, including, but not limited to, any Kansas film media industry development expenditures, and approved by the secretary of commerce. "Qualified postproduction expenditures" shall not exceed the usual and customary cost of the goods or services acquired. The secretary of commerce or the secretary of revenue may determine the value of the goods or services for purposes of this section when the buyer and seller are affiliates, or the sale or purchase is not an arm's length transaction. "Qualified postproduction expenditures" does not include postproduction expenditures for which another taxpayer claims the production tax credit pursuant to section 4, and amendments thereto.

(s) "Qualified production expenditures" means the funds actually invested and expended by a production company that are production expenditures made in this state and directly used in a certified production, including any Kansas film media industry development expenditures, and approved by the secretary of commerce. "Qualified production expenditures" shall not exceed the usual and customary cost of the goods or services acquired. The secretary of commerce or the secretary of revenue may determine the value of the goods or services for purposes of this act when the buyer and seller are affiliates, or the sale or purchase is not an arm's length transaction. "Qualified production expenditures" does not include production expenditures for which another taxpayer claims the production tax credit pursuant to section 4, and amendments thereto. "Qualified production expenditures" does not include wages, salaries or payment paid to above-the-line personnel that constitute more than 25% of total production expenditures.

(t) "Qualified Kansas promotion" means a promotion of this state, approved by the secretary as to content, distribution, duration and placement within a production, video

or interactive game or in associated online or other promotions, that consists of a static or animated logo that promotes Kansas, an embedded Kansas promotion or a Kansas advertisement and that may include a link to a Kansas website.

(u) "Secretary" means the secretary of commerce.

(v) "Vendor" means a business that sells or leases goods or services that are related to standard production industry inventory or services. "Vendor" does not include a personal services business.

New Sec. 3. (a) There is hereby created the Kansas film and digital media industry development program. The purpose of the Kansas film and digital media industry development program is to:

(1) Provide tax incentives, including, but not limited to, an income tax credit and a sales tax exemption, for eligible projects produced in Kansas by production companies that meet the requirements of this act and are approved as certified projects by the secretary of commerce; and

(2) provide tax incentives, support programs or services, including, but not limited to, professional development, infrastructure investments and marketing efforts to develop film and digital media industry-related Kansas businesses.

(b) The program shall be administered by the secretary with the assistance of the Kansas creative arts industries commission. The secretary shall consult with the Kansas creative arts industries commission in administering this act to ensure the best possible use of Kansas resources for promoting and developing film and digital media production and related industry in Kansas. In determining whether to approve a project as a certified project, the secretary shall consider the immediate impact and potential future impact of the project on the development and growth of the Kansas film, video and digital media production industry. The secretary may limit, by category, specified eligible expenditures or total amounts of eligible production or postproduction expenditures that may be approved by the secretary as qualified production or postproduction expenditures. The aggregate total amount of income tax credits under this act shall not exceed \$10,000,000 in a tax year. The secretary shall designate 10% of such total aggregate amount in each tax year for tax credits for Kansas-based production companies to fulfill the purpose of this act as described in subsection (a)(2).

(c) To be eligible for an income tax credit or a sales tax exemption under this act, a production company shall, prior to the commencement of the project or of principal photography, submit the following to the secretary of commerce in the form and manner and with such documentation and other information as required by the secretary:

(1) An application for approval of the production as an eligible production and for designation as a certified production;

(2) evidence of adequate financing for the project;

(3) evidence of a certificate of general liability insurance with a minimum coverage of \$1,000,000, or a greater amount if required by the secretary, and workers compensation coverage in compliance with Kansas law that shall include coverage of employer liability;

(4) a description of the project, timelines and anticipated completion dates, anticipated eligible expenditures and project activities to be conducted in Kansas, anticipated employment of crew or above-the-line personnel who are Kansas residents or use of Kansas-based vendors and any anticipated construction or contribution of production infrastructure or participation in Kansas film and digital media industry

development activities; and

(5) an economic impact statement showing the economic impact from the activities of the project. Such economic impact statement shall indicate the impact on the region of the state in which the project production or production-related activities are conducted and any impact on the state as a whole. The secretary may consider the size of the project when determining the scope and information required.

(d) (1) If the secretary determines that the project is an eligible project and approves the application, the production company shall enter into an agreement with the secretary prior to the commencement of the project on such terms and conditions as the secretary may require. Such terms and conditions shall include, but not be limited to, qualified Kansas promotions to be provided and any limitations the secretary may impose on the amounts of eligible production or postproduction expenditures that may be approved by the secretary as qualified expenditures, whether in total or for specified eligible expenditures or specified eligible expenditure categories.

(2) The production company shall agree to the provision of documentation and information to the secretary or the secretary of revenue on a regular basis as requested by the secretary or secretary of revenue to determine qualified expenditures and compliance with the requirements of this act and rules and regulations adopted by the secretary or the secretary of revenue pursuant to this act. The production company shall agree to the provision of information to the secretary on a regular basis as requested by the secretary regarding the progress of the project and estimated completion date.

(3) The terms and conditions shall include provisions for repayment of income tax credits or sales tax exempted if requirements of this act or rules and regulations are not met, provisions requiring cooperation with any audit conducted pursuant to this act and provisions for submission of information as required for publication on the Kansas economic incentive database and for the secretary's reports to the legislature as provided by section 5, and amendments thereto.

(4) The terms and conditions may also include agreements by the production company for the facilitation of, coordination with or provision of support services for Kansas businesses and organizations to enable participation in the project or the development of the Kansas film and digital media industry.

(5) If the secretary approves the agreement with the production company, the secretary shall authorize the eligible project as a certified project.

(e) Upon approval by the secretary as an eligible and certified project and the execution of the agreement as provided in subsection (d), the secretary may approve an application by the production company for a sales tax exemption for production or postproduction expenditures pursuant to the provisions of K.S.A. 79-3606(pppp), and amendments thereto, and shall notify the applicant and the secretary of revenue of such approval. In considering approval of such sales tax exemption, the secretary shall prioritize expenditures in rural areas or in economically depressed urban areas to the extent feasible. The secretary may require that all or a portion of expenditures eligible for exemption from sales tax be made with businesses located in such areas, as determined by the secretary. A production company receiving a sales tax exemption shall provide the secretary or the secretary of revenue with such documentation as requested by the secretary or the secretary of revenue to demonstrate that expenditures have been made as required.

(f) Prior to receipt by a production company of any income tax credit authorized by

section 4, and amendments thereto, the secretary shall examine and determine the amount of eligible production or eligible postproduction expenditures that are qualified production expenditures or qualified postproduction expenditures of the production company and that such expenditures are for a certified production. No expenditure that was exempt from sales taxation pursuant to K.S.A. 79-3606(pppp), and amendments thereto, shall also be a basis for the income tax credit pursuant to section 4, and amendments thereto, unless specifically approved by the secretary. The production company shall provide such information and documentation as requested by the secretary to make such determination. In addition, the production company shall provide evidence as required by the secretary that:

(1) The production company has filed all Kansas tax returns and tax documents required by law and withholding taxes have been submitted as required by law;

(2) all crew who are Kansas residents and Kansas-based vendors have been paid and that there are no pending liens in this state against the production company; and

(3) the certified project for which a sales tax exemption has been granted or an income tax credit is requested has been completed, or in the discretion of the secretary, a phase of the certified project has been completed and adequate assurance, as determined by the secretary, has been provided that the project will be fully completed.

(g) As a condition of receiving any income tax credits pursuant to this act, the production company shall provide the secretary with a report by a certified public accountant licensed to practice in Kansas, prepared at the expense of the applicant, verifying that the expenditures have been made in compliance with the requirements of this act. The report shall be provided with a claim for income tax credits as required by section 4, and amendments thereto, or as required by the secretary.

(h) The secretary shall notify the production company and the secretary of revenue of determinations of qualified expenditures made by the secretary.

(i) The secretary of commerce and the secretary of revenue may adopt rules and regulations to implement the provisions of this act.

New Sec. 4. (a) For tax years 2023 through 2032, for any production company or its affiliates that make qualified production or qualified postproduction expenditures for a certified production approved by the secretary of commerce as provided by section 3, and amendments thereto, there shall be allowed an income tax credit against the tax imposed under the Kansas income tax act in the amount as determined pursuant to subsection (d) as limited by subsection (h). The tax credit shall be applied against the production company's income tax liability for the taxable year in which the qualified expenditures are made by the production company. If the amount of the tax credit allowed exceeds the production company's income tax liability for the taxable year, the production company may carry over the amount of the tax credit that exceeds such tax liability for deduction from the production company's income tax liability in the next succeeding taxable year or years until the total amount of the tax credit has been deducted from the production company's tax liability, except that no such tax credit shall be carried over for deduction after the 10th taxable year succeeding the year in which the qualified expenditures were made by the production company. If the production company is a corporation having an election in effect under subchapter S of the federal internal revenue code, a partnership or a limited liability company, the credit shall be claimed by the shareholders of such corporation, the partners of such partnership or members of such limited liability company in the same manner as such

shareholders, partners or members account for their proportionate shares of the income or loss of the corporation, partnership or limited liability company and in accordance with the agreement executed pursuant to section 3, and amendments thereto.

(b) A claim for a tax credit shall be filed with the secretary of revenue as part of a return filed by the production company pursuant to the Kansas income tax act. The order that agreements are executed with the secretary of commerce pursuant to section 3, and amendments thereto, shall determine the order that credit claims are allocated by the secretary of revenue. A claim shall be submitted with a return or amended return within one calendar year of the date of the last eligible production expenditure or the last eligible postproduction expenditure for the certified production that would be eligible for an income tax credit as provided by subsection (a). A request by a production company for an extension of time of up to six months to submit a claim shall be granted by the secretary of revenue. All qualified production expenditures or postproduction expenditures incurred during the taxable year by a production company for a certified production shall be submitted for credit as part of the same income tax return. A tax credit claim for qualified expenditures during a taxable year shall not be divided and submitted with multiple returns or in multiple years.

(c) The claim shall include a copy of the project certification and the determination of qualified production or postproduction expenditures by the secretary of commerce. The claim shall also include a report by a certified public accountant licensed to practice in Kansas, prepared at the expense of the applicant, verifying that the expenditures have been made in compliance with the requirements of this act.

(d) The amount of the tax credit shall be equal to 30% of:

(1) The qualified production expenditures for the certified project; or

(2) the qualified postproduction expenses for a certified project with no qualified production expenses.

(e) The secretary of commerce may approve additional credits as follows:

(1) In addition to the amount authorized by subsection (d)(1):

(A) Up to 5% of the qualified production expenditures for a certified multi-film deal, a certified eligible television series, a certified high-impact production or contributions to film-related infrastructure or workforce development in Kansas, including, but not limited to, contributions to permanent sets, sound stages, film editing facilities, computer graphics, special effects or animation facilities, educational facilities or programs, internships or apprenticeships or equipment for production activities, in the amount such contributions are approved by the secretary of commerce; or

(B) up to 5% for qualified production expenditures for a production if 50% or more of the crew or above-the-line personnel are Kansas residents; or

(2) in addition to the amount authorized under subsection (d)(1) or (2), up to an additional 5%, as determined by the secretary, of the amount of the qualified production expenditures or qualified postproduction expenditures, as applicable, of a certified project of a production company that has previously received an income tax credit under this act with respect to such certified project.

(f) In addition to or in lieu of the credits authorized by subsection (d), as determined by the secretary, a Kansas-based production company that incurs at least \$25,000 in qualified expenditures, including, but not limited to, expenditures for a certified production not intended for multimarket distribution but that otherwise constitute qualified expenditures and meets all other qualifications for a tax credit under

this act shall receive a tax credit in the amount of 25% of such qualified expenditures. The tax credit shall be applied against the Kansas-based production company's income tax liability for the taxable year in which the qualified expenditures are made by the Kansas-based production company. If the amount of the tax credit exceeds the Kansas-based production company's income tax liability, the Kansas-based production company may carry over the amount of the tax credit that exceeds such tax liability for deduction from the Kansas-based production company's income tax liability in the next succeeding taxable year or years until the total amount of the tax credit has been deducted from the Kansas-based production company's tax liability, except that no such tax credit shall be carried over for deduction after the 10th taxable year succeeding the year in which the qualified expenditures were made by the Kansas-based production company. If the Kansas-based production company is a corporation having an election in effect under subchapter S of the federal internal revenue code, a partnership or a limited liability company, the credit shall be claimed by the shareholders of such corporation, the partners of such partnership or members of such limited liability company in the same manner as such shareholders, partners or members account for their proportionate shares of the income or loss of the corporation, partnership or limited liability company and in accordance with the agreement executed pursuant to section 3, and amendments thereto.

(g) Notwithstanding any other provision of this act, the tax credit amount based on a production or postproduction expenditure for a single individual who meets the definition of individuals who are above-the-line, nonresident personnel shall be limited to not more than \$500,000 in each taxable year.

(h) The maximum cumulative amount of all income tax credits awarded to a production company for a certified project for a taxable year shall not exceed 40% of the total qualified production expenditures or qualified postproduction expenditures made by the production company for that certified project during that taxable year.

(i) For purposes of determining the amount of credit claims pursuant to this section, the secretary of revenue may require that credit claims of affiliates be combined into one claim if necessary to accurately reflect closely integrated activities of affiliates.

(j) If a production company hires another production company to produce a project or contribute elements of a project for pay, the hired company shall be considered a service provider for the hiring company, and the hiring company shall be entitled to the income tax credit authorized by this section.

(k) The aggregate total amount of credits allowed under this section shall not exceed \$10,000,000 in a tax year. Ten percent of such aggregate total in each tax year shall be designated for tax credits to Kansas-based production companies.

New Sec. 5. On or before January 31, 2024, and each January 31 through January 31, 2033, the secretary of commerce shall submit an annual report to the house of representatives standing committees on commerce, labor and economic development and taxation and the senate standing committees on commerce and assessment and taxation. The report shall include the amounts and recipients of tax incentives approved by the secretary pursuant to this act for the prior year and to the date of the report, anticipated tax incentive amounts for the current year, the production companies that have applied for and that have been certified for projects, a description of ongoing and completed projects and the impact of such projects and the program on the film, video or digital production industry in Kansas. The secretary of revenue shall provide the

secretary of commerce with information as necessary for the report in accordance with the terms of the agreements required by section 3, and amendments thereto.

New Sec. 6. No sales tax exemption or income tax credit pursuant to this act shall apply or be awarded for expenditures made on or after January 1, 2033.

New Sec. 7. (a) The secretary of commerce is hereby authorized and empowered to award grants for educational purposes or programs to develop and support the Kansas film and digital media industry. The purpose of such grants is to develop, expand and improve Kansas educational programs directly relevant to development and support of the film and digital media industry in this state. The secretary is authorized to award such grants to not-for-profit postsecondary educational institutions with a main campus or principal operations in Kansas, including public or private four-year universities or colleges, community colleges or technical colleges established under the laws of this state or the Washburn institute of technology. In awarding such grants, the secretary shall select such institutions that are engaged in or that seek to engage in educational programs or activities related to film, media, digital technology, gaming or other evolving areas of the film and digital media industry in Kansas. The secretary shall not award grants pursuant to this section on or after January 1, 2033.

(b) (1) There is hereby established in the state treasury the Kansas film and digital media production development act education fund to be administered by the secretary of commerce. All moneys credited to such fund shall be used to provide grants for the expansion of film and digital media production-related education in the state of Kansas and the administration of such fund. All expenditures from such fund shall be made in accordance with the provisions of appropriation acts and upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of commerce or the secretary's designee.

(2) The secretary shall remit any moneys received pursuant to any penalties or any repayment obligations imposed by the secretary pursuant to 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 Kansas film and digital media production development act education fund.

(c) (1) Grants made by the secretary of commerce from the Kansas film and digital media production development act education fund shall be used for educational purposes, including, but not limited to:

- (A) Internships and apprenticeship programs;
- (B) scholarships;
- (C) curriculum development and staffing; or
- (D) resources such as lab facilities or equipment.

(2) Such grants shall be awarded upon such terms and conditions as the secretary of commerce may deem appropriate. Such terms and conditions shall:

(A) Require that scholarship programs that receive grant funding require student scholarship recipients to agree to reside in Kansas and work primarily in Kansas or with a Kansas-based company, when possible, for at least two years following completion of an educational program;

(B) include specified objectives and milestones as agreed by the Kansas educational institution grant recipient and the secretary, including, but not limited to, graduate job placement goals; and

(C) require the Kansas educational institution to provide information as requested by the secretary for purposes of administering the grant program, monitoring the use of funds and the achievement of milestones and objectives and preparation of the report required by subsection (e).

(d) (1) Subject to appropriation acts, on July 1, 2023, and each July 1 thereafter through July 1, 2032, the director of accounts and reports shall transfer \$1,000,000 from the state general fund to the Kansas film and digital media production development act education fund. Any unexpended balance in such fund at the close of a fiscal year shall remain credited to the fund for use in the succeeding fiscal year.

(2) On January 1, 2033, the director of accounts and reports shall transfer all unencumbered moneys in the Kansas film and digital media production development act education fund to the state general fund. After such transfer and the disbursement of any encumbered funds pursuant to grant awards made prior to January 1, 2033, the Kansas film and digital media production development act education fund shall be abolished. Upon abolishment of such fund, all liabilities of the Kansas film and digital media production development act education fund shall be transferred to and imposed on the state general fund.

(e) On or before January 31, 2024, and each January 31 through January 31, 2033, the secretary of commerce shall submit an annual report to the house of representatives standing committee on commerce, labor and economic development and the senate standing committee on commerce on the administration of the Kansas film and digital media production development act education fund and all grants awarded from the fund. Such report shall contain specific and aggregate information regarding all expenditures from the fund, the Kansas educational institutions receiving grants, the amount of funds expended for each grant, the reason and purpose for which each grant was approved, including how it was intended to further the purposes of the fund, the actual use of such grant funds by the Kansas educational institution and the accomplishment or progress made by the educational institution toward agreed milestones and objectives.

New Sec. 8. (a) The secretary of commerce is hereby authorized and empowered to award grants or loans from the Kansas film and digital media production development act workforce training and business direct investment fund in connection with projects certified by the secretary pursuant to section 3, and amendments thereto. The secretary shall award such grants or loans for the purpose of facilitating and supporting certified projects and developing the Kansas film and digital media industry by funding workforce training and by investing directly in Kansas companies engaged in or seeking to engage in certified projects. The secretary shall not award grants or loans pursuant to this section on or after January 1, 2033.

(b) (1) There is hereby established in the state treasury the Kansas film and digital media production development act workforce training and business direct investment fund to be administered by the secretary of commerce. All moneys credited to such fund shall be used to provide grants or loans as provided by this section for the support of workforce training and direct investment in Kansas companies in relation to certified film or digital media production projects, the development of the Kansas film and digital media industry and the administration of such fund. All expenditures from such fund shall be made in accordance with the provisions of appropriation acts and upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of commerce or the secretary's designee.

(2) The secretary of commerce shall remit any moneys received pursuant to loan repayments, interest, any penalties or any other repayment obligations imposed by the secretary pursuant to 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 Kansas film and digital media production development act workforce training and business direct investment fund.

(c) (1) Grants made by the secretary of commerce from the Kansas film and digital media production development act workforce training and business direct investment fund shall be used for workforce development purposes, including, but not limited to:

(A) Apprenticeship programs for Kansas residents;

(B) crew training for Kansas residents, including:

(i) Training provided by not-for-profit postsecondary educational institutions with a main campus or principal operations in Kansas selected by the secretary, including four-year public or private educational institutions, public community colleges or public technical schools established under the laws of this state or the Washburn institute of technology; or

(ii) employee training provided by any production company or a Kansas company involved in the film and digital media industry and engaged in a certified project; or

(C) development of training models, in coordination and cooperation with the film and digital media production industry, for use by Kansas educational institutions.

(2) Such grants shall be upon such terms and conditions as the secretary of commerce may deem appropriate. Such terms and conditions shall include an agreement by the grant recipient to provide information as requested by the secretary for purposes of administering the grant program, monitoring the use of funds and preparation of the report required by subsection (f).

(d) (1) Direct investments made by the secretary of commerce from the Kansas film and digital media production development act workforce training and business direct investment fund shall be used for investing in Kansas film and digital media production industry companies that will or seek to be engaged in certified projects, including Kansas-based production companies or Kansas businesses that are offering personnel, services, facilities, leases or rentals or that are offering, engaged in or seeking to engage in other production or postproduction-related business activities. Investments may be made in Kansas start-ups, Kansas businesses seeking to expand into the film and digital media production industry or established Kansas businesses in such industry.

(2) Direct investments shall be comprised of a loan component in the amount of 80% and a grant component in the amount of 20% of the total award of funds to the recipient. The investment shall be made upon such terms and conditions as the secretary of commerce may deem appropriate. Such terms and conditions shall:

(A) Include specified objectives and milestones as required by the secretary and provisions for repayment of the grant or loan if conditions specified by the secretary are not met; and

(B) require the recipient to provide information as requested by the secretary for purposes of administering the direct investment program, monitoring the use of funds and achievement of milestones and objectives and preparation of the report required by subsection (f).

(e) (1) Subject to appropriation acts, on July 1, 2024, and each July 1 thereafter through July 1, 2032, the director of accounts and reports shall transfer \$1,000,000 from the state general fund to the Kansas film and digital media production development act workforce training and business direct investment fund. Any unexpended balance in such fund at the close of a fiscal year shall remain credited to the fund for use in the succeeding fiscal year.

(2) On January 1, 2033, the director of accounts and reports shall transfer all unencumbered moneys in the Kansas film and digital media production development act workforce training and business direct investment fund to the state general fund. After such transfer and the disbursement of any encumbered funds pursuant to awards made prior to January 1, 2033, the Kansas film and digital media production development act workforce training and business direct investment fund shall be abolished. Upon abolishment of such fund, all liabilities of the Kansas film and digital media production development act workforce training and business direct investment fund shall be transferred to and imposed on the state general fund.

(f) On or before January 31, 2024, and each January 31 thereafter through January 31, 2033, the secretary of commerce shall submit an annual report to the house of representatives standing committee on commerce, labor and economic development and the senate standing committee on commerce on the administration of the Kansas film and digital media production development act workforce training and business direct investment fund and all grants or loans awarded from the fund. Such report shall contain specific and aggregate information regarding all expenditures from the fund, the businesses or Kansas postsecondary educational institutions receiving funds, the amount of funds expended for each grant or loan, the reason and purpose for which each grant or loan was approved, including how it was intended to further the purposes of the Kansas film and digital media production development act project workforce training and business direct investment fund, the actual use of the grant or loan funds by the recipient and the accomplishment of or progress made toward agreed milestones and objectives.

New Sec. 9. On or before January 31, 2027, and on or before January 31, 2031, the secretary of commerce shall submit an economic impact report to the house of representatives standing committee on commerce, labor and economic development, the house of representatives standing committee on taxation, the senate standing committee on commerce and the senate standing committee on assessment and taxation. The economic impact report shall include an economic impact assessment and evaluation for the approved and completed projects of the preceding years. The report shall include economic impacts attributable to each approved project, the impact of project expenditures on the state and local economy, including local taxes and state taxes related to sales, salaries and wages, full-time and part-time employment and other categories of expenditures as appropriate. The report shall utilize the best available methodology to calculate the multiplier effect of the actual impact of qualified expenditures in the location of a certified production. The secretary of revenue shall provide the secretary of commerce with information as necessary for the report in accordance with the terms of the agreements required by section 3, and amendments thereto.

Sec. 10. K.S.A. 2022 Supp. 79-3606 is hereby amended to read as follows: 79-3606. The following shall be exempt from the tax imposed by this act:

(a) All sales of motor-vehicle fuel or other articles upon which a sales or excise tax has been paid, not subject to refund, under the laws of this state except cigarettes and electronic cigarettes as defined by K.S.A. 79-3301, and amendments thereto, including consumable material for such electronic cigarettes, cereal malt beverages and malt products as defined by K.S.A. 79-3817, and amendments thereto, including wort, liquid malt, malt syrup and malt extract, that is not subject to taxation under the provisions of K.S.A. 79-41a02, and amendments thereto, motor vehicles taxed pursuant to K.S.A. 79-5117, and amendments thereto, tires taxed pursuant to K.S.A. 65-3424d, and amendments thereto, drycleaning and laundry services taxed pursuant to K.S.A. 65-34,150, and amendments thereto, and gross receipts from regulated sports contests taxed pursuant to the Kansas professional regulated sports act, and amendments thereto;

(b) all sales of tangible personal property or service, including the renting and leasing of tangible personal property, purchased directly by the state of Kansas, a political subdivision thereof, other than a school or educational institution, or purchased by a public or private nonprofit hospital, public hospital authority, nonprofit blood, tissue or organ bank or nonprofit integrated community care organization and used exclusively for state, political subdivision, hospital, public hospital authority, nonprofit blood, tissue or organ bank or nonprofit integrated community care organization purposes, except when: (1) Such state, hospital or public hospital authority is engaged or proposes to engage in any business specifically taxable under the provisions of this act and such items of tangible personal property or service are used or proposed to be used in such business; or (2) such political subdivision is engaged or proposes to engage in the business of furnishing gas, electricity or heat to others and such items of personal property or service are used or proposed to be used in such business;

(c) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly by a public or private elementary or secondary school or public or private nonprofit educational institution and used primarily by such school or institution for nonsectarian programs and activities provided or sponsored by such school or institution or in the erection, repair or enlargement of buildings to be used for such purposes. The exemption herein provided shall not apply to erection, construction, repair, enlargement or equipment of buildings used primarily for human habitation, except that such exemption shall apply to the erection, construction, repair, enlargement or equipment of buildings used for human habitation by the cerebral palsy research foundation of Kansas located in Wichita, Kansas, and multi community diversified services, incorporated, located in McPherson, Kansas;

(d) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, a public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership, that would be exempt from taxation under the provisions of this act if purchased directly by such hospital or public hospital authority, school, educational institution or a state correctional institution; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of

the state or district described in subsection (s), the total cost of which is paid from funds of such political subdivision or district and that would be exempt from taxation under the provisions of this act if purchased directly by such political subdivision or district. Nothing in this subsection or in the provisions of K.S.A. 12-3418, and amendments thereto, shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or any such district. As used in this subsection, K.S.A. 12-3418 and 79-3640, and amendments thereto, "funds of a political subdivision" shall mean general tax revenues, the proceeds of any bonds and gifts or grants-in-aid. Gifts shall not mean funds used for the purpose of constructing, equipping, reconstructing, repairing, enlarging, furnishing or remodeling facilities that are to be leased to the donor. When any political subdivision of the state, district described in subsection (s), public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or department of corrections concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or the contractor contracting with the department of corrections for a correctional institution concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or

compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(e) all sales of tangible personal property or services purchased by a contractor for the erection, repair or enlargement of buildings or other projects for the government of the United States, its agencies or instrumentalities, that would be exempt from taxation if purchased directly by the government of the United States, its agencies or instrumentalities. When the government of the United States, its agencies or instrumentalities shall contract for the erection, repair, or enlargement of any building or other project, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the government of the United States, its agencies or instrumentalities concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(f) tangible personal property purchased by a railroad or public utility for consumption or movement directly and immediately in interstate commerce;

(g) sales of aircraft including remanufactured and modified aircraft sold to persons using directly or through an authorized agent such aircraft as certified or licensed carriers of persons or property in interstate or foreign commerce under authority of the laws of the United States or any foreign government or sold to any foreign government or agency or instrumentality of such foreign government and all sales of aircraft for use outside of the United States and sales of aircraft repair, modification and replacement parts and sales of services employed in the remanufacture, modification and repair of aircraft;

(h) all rentals of nonsectarian textbooks by public or private elementary or secondary schools;

(i) the lease or rental of all films, records, tapes, or any type of sound or picture transcriptions used by motion picture exhibitors;

(j) meals served without charge or food used in the preparation of such meals to employees of any restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public if such employees' duties are related to the furnishing or sale of such meals or drinks;

(k) any motor vehicle, semitrailer or pole trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto, or aircraft sold and delivered in this state to a bona fide resident of another state, which motor vehicle, semitrailer, pole trailer or aircraft is not to be registered or based in this state and which vehicle, semitrailer, pole trailer or aircraft will not remain in this state more than 10 days;

(l) all isolated or occasional sales of tangible personal property, services, substances or things, except isolated or occasional sale of motor vehicles specifically taxed under the provisions of K.S.A. 79-3603(o), and amendments thereto;

(m) all sales of tangible personal property that become an ingredient or component part of tangible personal property or services produced, manufactured or compounded for ultimate sale at retail within or without the state of Kansas; and any such producer, manufacturer or compounder may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for use as an ingredient or component part of the property or services produced, manufactured or compounded;

(n) all sales of tangible personal property that is consumed in the production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property, the treating of by-products or wastes derived from any such production process, the providing of services or the irrigation of crops for ultimate sale at retail within or without the state of Kansas; and any purchaser of such property may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for consumption in such production, manufacture, processing, mining, drilling, refining, compounding, treating, irrigation and in providing such services;

(o) all sales of animals, fowl and aquatic plants and animals, the primary purpose of which is use in agriculture or aquaculture, as defined in K.S.A. 47-1901, and amendments thereto, the production of food for human consumption, the production of animal, dairy, poultry or aquatic plant and animal products, fiber or fur, or the production of offspring for use for any such purpose or purposes;

(p) all sales of drugs dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "drug" means a compound, substance or preparation and any component of a compound, substance or preparation, other than food and food ingredients, dietary supplements or alcoholic beverages, recognized in the official United States pharmacopeia, official homeopathic pharmacopoeia of the United States or official national formulary, and supplement to any of them, intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease or intended to affect the structure or any function of the body, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of drugs used in the performance or induction of an abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(q) all sales of insulin dispensed by a person licensed by the state board of pharmacy to a person for treatment of diabetes at the direction of a person licensed to practice medicine by the state board of healing arts;

(r) all sales of oxygen delivery equipment, kidney dialysis equipment, enteral feeding systems, prosthetic devices and mobility enhancing equipment prescribed in writing by a person licensed to practice the healing arts, dentistry or optometry, and in

addition to such sales, all sales of hearing aids, as defined by K.S.A. 74-5807(c), and amendments thereto, and repair and replacement parts therefor, including batteries, by a person licensed in the practice of dispensing and fitting hearing aids pursuant to the provisions of K.S.A. 74-5808, and amendments thereto. For the purposes of this subsection: (1) "Mobility enhancing equipment" means equipment including repair and replacement parts to same, but does not include durable medical equipment, which is primarily and customarily used to provide or increase the ability to move from one place to another and which is appropriate for use either in a home or a motor vehicle; is not generally used by persons with normal mobility; and does not include any motor vehicle or equipment on a motor vehicle normally provided by a motor vehicle manufacturer; and (2) "prosthetic device" means a replacement, corrective or supportive device including repair and replacement parts for same worn on or in the body to artificially replace a missing portion of the body, prevent or correct physical deformity or malfunction or support a weak or deformed portion of the body;

(s) except as provided in K.S.A. 82a-2101, and amendments thereto, all sales of tangible personal property or services purchased directly or indirectly by a groundwater management district organized or operating under the authority of K.S.A. 82a-1020 et seq., and amendments thereto, by a rural water district organized or operating under the authority of K.S.A. 82a-612, and amendments thereto, or by a water supply district organized or operating under the authority of K.S.A. 19-3501 et seq., 19-3522 et seq. or 19-3545, and amendments thereto, which property or services are used in the construction activities, operation or maintenance of the district;

(t) all sales of farm machinery and equipment or aquaculture machinery and equipment, repair and replacement parts therefor and services performed in the repair and maintenance of such machinery and equipment. For the purposes of this subsection the term "farm machinery and equipment or aquaculture machinery and equipment" shall include a work-site utility vehicle, as defined in K.S.A. 8-126, and amendments thereto, and is equipped with a bed or cargo box for hauling materials, and shall also include machinery and equipment used in the operation of Christmas tree farming but shall not include any passenger vehicle, truck, truck tractor, trailer, semitrailer or pole trailer, other than a farm trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto. "Farm machinery and equipment" includes precision farming equipment that is portable or is installed or purchased to be installed on farm machinery and equipment. "Precision farming equipment" includes the following items used only in computer-assisted farming, ranching or aquaculture production operations: Soil testing sensors, yield monitors, computers, monitors, software, global positioning and mapping systems, guiding systems, modems, data communications equipment and any necessary mounting hardware, wiring and antennas. Each purchaser of farm machinery and equipment or aquaculture machinery and equipment exempted herein must certify in writing on the copy of the invoice or sales ticket to be retained by the seller that the farm machinery and equipment or aquaculture machinery and equipment purchased will be used only in farming, ranching or aquaculture production. Farming or ranching shall include the operation of a feedlot and farm and ranch work for hire and the operation of a nursery;

(u) all leases or rentals of tangible personal property used as a dwelling if such tangible personal property is leased or rented for a period of more than 28 consecutive days;

(v) all sales of tangible personal property to any contractor for use in preparing meals for delivery to homebound elderly persons over 60 years of age and to homebound disabled persons or to be served at a group-sitting at a location outside of the home to otherwise homebound elderly persons over 60 years of age and to otherwise homebound disabled persons, as all or part of any food service project funded in whole or in part by government or as part of a private nonprofit food service project available to all such elderly or disabled persons residing within an area of service designated by the private nonprofit organization, and all sales of tangible personal property for use in preparing meals for consumption by indigent or homeless individuals whether or not such meals are consumed at a place designated for such purpose, and all sales of food products by or on behalf of any such contractor or organization for any such purpose;

(w) all sales of natural gas, electricity, heat and water delivered through mains, lines or pipes: (1) To residential premises for noncommercial use by the occupant of such premises; (2) for agricultural use and also, for such use, all sales of propane gas; (3) for use in the severing of oil; and (4) to any property which is exempt from property taxation pursuant to K.S.A. 79-201b, Second through Sixth. As used in this paragraph, "severing" means the same as defined in K.S.A. 79-4216(k), and amendments thereto. For all sales of natural gas, electricity and heat delivered through mains, lines or pipes pursuant to the provisions of subsection (w)(1) and (w)(2), the provisions of this subsection shall expire on December 31, 2005;

(x) all sales of propane gas, LP-gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises occurring prior to January 1, 2006;

(y) all sales of materials and services used in the repairing, servicing, altering, maintaining, manufacturing, remanufacturing, or modification of railroad rolling stock for use in interstate or foreign commerce under authority of the laws of the United States;

(z) all sales of tangible personal property and services purchased directly by a port authority or by a contractor therefor as provided by the provisions of K.S.A. 12-3418, and amendments thereto;

(aa) all sales of materials and services applied to equipment that is transported into the state from without the state for repair, service, alteration, maintenance, remanufacture or modification and that is subsequently transported outside the state for use in the transmission of liquids or natural gas by means of pipeline in interstate or foreign commerce under authority of the laws of the United States;

(bb) all sales of used mobile homes or manufactured homes. As used in this subsection: (1) "Mobile homes" and "manufactured homes" mean the same as defined in K.S.A. 58-4202, and amendments thereto; and (2) "sales of used mobile homes or manufactured homes" means sales other than the original retail sale thereof;

(cc) all sales of tangible personal property or services purchased prior to January 1, 2012, except as otherwise provided, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business or retail business that meets the requirements established in K.S.A. 74-50,115, and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business or retail business, and all sales of tangible personal property or services purchased on or after January 1, 2012, for the purpose of and in conjunction with

constructing, reconstructing, enlarging or remodeling a business that meets the requirements established in K.S.A. 74-50,115(e), and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business. When a person shall contract for the construction, reconstruction, enlargement or remodeling of any such business or retail business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the owner of the business or retail business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. As used in this subsection, "business" and "retail business" mean the same as defined in K.S.A. 74-50,114, and amendments thereto. Project exemption certificates that have been previously issued under this subsection by the department of revenue pursuant to K.S.A. 74-50,115, and amendments thereto, but not including K.S.A. 74-50,115(e), and amendments thereto, prior to January 1, 2012, and have not expired will be effective for the term of the project or two years from the effective date of the certificate, whichever occurs earlier. Project exemption certificates that are submitted to the department of revenue prior to January 1, 2012, and are found to qualify will be issued a project exemption certificate that will be effective for a two-year period or for the term of the project, whichever occurs earlier;

(dd) all sales of tangible personal property purchased with food stamps issued by the United States department of agriculture;

(ee) all sales of lottery tickets and shares made as part of a lottery operated by the state of Kansas;

(ff) on and after July 1, 1988, all sales of new mobile homes or manufactured homes to the extent of 40% of the gross receipts, determined without regard to any trade-in allowance, received from such sale. As used in this subsection, "mobile homes" and "manufactured homes" mean the same as defined in K.S.A. 58-4202, and amendments thereto;

(gg) all sales of tangible personal property purchased in accordance with vouchers issued pursuant to the federal special supplemental food program for women, infants and children;

(hh) all sales of medical supplies and equipment, including durable medical equipment, purchased directly by a nonprofit skilled nursing home or nonprofit intermediate nursing care home, as defined by K.S.A. 39-923, and amendments thereto, for the purpose of providing medical services to residents thereof. This exemption shall not apply to tangible personal property customarily used for human habitation purposes.

As used in this subsection, "durable medical equipment" means equipment including repair and replacement parts for such equipment, that can withstand repeated use, is primarily and customarily used to serve a medical purpose, generally is not useful to a person in the absence of illness or injury and is not worn in or on the body, but does not include mobility enhancing equipment as defined in subsection (r), oxygen delivery equipment, kidney dialysis equipment or enteral feeding systems;

(ii) all sales of tangible personal property purchased directly by a nonprofit organization for nonsectarian comprehensive multidiscipline youth development programs and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(jj) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly on behalf of a community-based facility for people with intellectual disability or mental health center organized pursuant to K.S.A. 19-4001 et seq., and amendments thereto, and licensed in accordance with the provisions of K.S.A. 39-2001 et seq., and amendments thereto, and all sales of tangible personal property or services purchased by contractors during the time period from July, 2003, through June, 2006, for the purpose of constructing, equipping, maintaining or furnishing a new facility for a community-based facility for people with intellectual disability or mental health center located in Riverton, Cherokee County, Kansas, that would have been eligible for sales tax exemption pursuant to this subsection if purchased directly by such facility or center. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(kk) (1) (A) all sales of machinery and equipment that are used in this state as an integral or essential part of an integrated production operation by a manufacturing or processing plant or facility;

(B) all sales of installation, repair and maintenance services performed on such machinery and equipment; and

(C) all sales of repair and replacement parts and accessories purchased for such machinery and equipment.

(2) For purposes of this subsection:

(A) "Integrated production operation" means an integrated series of operations engaged in at a manufacturing or processing plant or facility to process, transform or convert tangible personal property by physical, chemical or other means into a different form, composition or character from that in which it originally existed. Integrated production operations shall include: (i) Production line operations, including packaging operations; (ii) preproduction operations to handle, store and treat raw materials; (iii) post production handling, storage, warehousing and distribution operations; and (iv) waste, pollution and environmental control operations, if any;

(B) "production line" means the assemblage of machinery and equipment at a manufacturing or processing plant or facility where the actual transformation or processing of tangible personal property occurs;

(C) "manufacturing or processing plant or facility" means a single, fixed location owned or controlled by a manufacturing or processing business that consists of one or more structures or buildings in a contiguous area where integrated production operations are conducted to manufacture or process tangible personal property to be

ultimately sold at retail. Such term shall not include any facility primarily operated for the purpose of conveying or assisting in the conveyance of natural gas, electricity, oil or water. A business may operate one or more manufacturing or processing plants or facilities at different locations to manufacture or process a single product of tangible personal property to be ultimately sold at retail;

(D) "manufacturing or processing business" means a business that utilizes an integrated production operation to manufacture, process, fabricate, finish or assemble items for wholesale and retail distribution as part of what is commonly regarded by the general public as an industrial manufacturing or processing operation or an agricultural commodity processing operation. (i) Industrial manufacturing or processing operations include, by way of illustration but not of limitation, the fabrication of automobiles, airplanes, machinery or transportation equipment, the fabrication of metal, plastic, wood or paper products, electricity power generation, water treatment, petroleum refining, chemical production, wholesale bottling, newspaper printing, ready mixed concrete production, and the remanufacturing of used parts for wholesale or retail sale. Such processing operations shall include operations at an oil well, gas well, mine or other excavation site where the oil, gas, minerals, coal, clay, stone, sand or gravel that has been extracted from the earth is cleaned, separated, crushed, ground, milled, screened, washed or otherwise treated or prepared before its transmission to a refinery or before any other wholesale or retail distribution. (ii) Agricultural commodity processing operations include, by way of illustration but not of limitation, meat packing, poultry slaughtering and dressing, processing and packaging farm and dairy products in sealed containers for wholesale and retail distribution, feed grinding, grain milling, frozen food processing, and grain handling, cleaning, blending, fumigation, drying and aeration operations engaged in by grain elevators or other grain storage facilities. (iii) Manufacturing or processing businesses do not include, by way of illustration but not of limitation, nonindustrial businesses whose operations are primarily retail and that produce or process tangible personal property as an incidental part of conducting the retail business, such as retailers who bake, cook or prepare food products in the regular course of their retail trade, grocery stores, meat lockers and meat markets that butcher or dress livestock or poultry in the regular course of their retail trade, contractors who alter, service, repair or improve real property, and retail businesses that clean, service or refurbish and repair tangible personal property for its owner;

(E) "repair and replacement parts and accessories" means all parts and accessories for exempt machinery and equipment, including, but not limited to, dies, jigs, molds, patterns and safety devices that are attached to exempt machinery or that are otherwise used in production, and parts and accessories that require periodic replacement such as belts, drill bits, grinding wheels, grinding balls, cutting bars, saws, refractory brick and other refractory items for exempt kiln equipment used in production operations;

(F) "primary" or "primarily" mean more than 50% of the time.

(3) For purposes of this subsection, machinery and equipment shall be deemed to be used as an integral or essential part of an integrated production operation when used to:

(A) Receive, transport, convey, handle, treat or store raw materials in preparation of its placement on the production line;

(B) transport, convey, handle or store the property undergoing manufacturing or processing at any point from the beginning of the production line through any

warehousing or distribution operation of the final product that occurs at the plant or facility;

(C) act upon, effect, promote or otherwise facilitate a physical change to the property undergoing manufacturing or processing;

(D) guide, control or direct the movement of property undergoing manufacturing or processing;

(E) test or measure raw materials, the property undergoing manufacturing or processing or the finished product, as a necessary part of the manufacturer's integrated production operations;

(F) plan, manage, control or record the receipt and flow of inventories of raw materials, consumables and component parts, the flow of the property undergoing manufacturing or processing and the management of inventories of the finished product;

(G) produce energy for, lubricate, control the operating of or otherwise enable the functioning of other production machinery and equipment and the continuation of production operations;

(H) package the property being manufactured or processed in a container or wrapping in which such property is normally sold or transported;

(I) transmit or transport electricity, coke, gas, water, steam or similar substances used in production operations from the point of generation, if produced by the manufacturer or processor at the plant site, to that manufacturer's production operation; or, if purchased or delivered from off-site, from the point where the substance enters the site of the plant or facility to that manufacturer's production operations;

(J) cool, heat, filter, refine or otherwise treat water, steam, acid, oil, solvents or other substances that are used in production operations;

(K) provide and control an environment required to maintain certain levels of air quality, humidity or temperature in special and limited areas of the plant or facility, where such regulation of temperature or humidity is part of and essential to the production process;

(L) treat, transport or store waste or other byproducts of production operations at the plant or facility; or

(M) control pollution at the plant or facility where the pollution is produced by the manufacturing or processing operation.

(4) The following machinery, equipment and materials shall be deemed to be exempt even though it may not otherwise qualify as machinery and equipment used as an integral or essential part of an integrated production operation: (A) Computers and related peripheral equipment that are utilized by a manufacturing or processing business for engineering of the finished product or for research and development or product design; (B) machinery and equipment that is utilized by a manufacturing or processing business to manufacture or rebuild tangible personal property that is used in manufacturing or processing operations, including tools, dies, molds, forms and other parts of qualifying machinery and equipment; (C) portable plants for aggregate concrete, bulk cement and asphalt including cement mixing drums to be attached to a motor vehicle; (D) industrial fixtures, devices, support facilities and special foundations necessary for manufacturing and production operations, and materials and other tangible personal property sold for the purpose of fabricating such fixtures, devices, facilities and foundations. An exemption certificate for such purchases shall be signed by the manufacturer or processor. If the fabricator purchases such material, the

fabricator shall also sign the exemption certificate; (E) a manufacturing or processing business' laboratory equipment that is not located at the plant or facility, but that would otherwise qualify for exemption under subsection (3)(E); (F) all machinery and equipment used in surface mining activities as described in K.S.A. 49-601 et seq., and amendments thereto, beginning from the time a reclamation plan is filed to the acceptance of the completed final site reclamation.

(5) "Machinery and equipment used as an integral or essential part of an integrated production operation" shall not include:

(A) Machinery and equipment used for nonproduction purposes, including, but not limited to, machinery and equipment used for plant security, fire prevention, first aid, accounting, administration, record keeping, advertising, marketing, sales or other related activities, plant cleaning, plant communications and employee work scheduling;

(B) machinery, equipment and tools used primarily in maintaining and repairing any type of machinery and equipment or the building and plant;

(C) transportation, transmission and distribution equipment not primarily used in a production, warehousing or material handling operation at the plant or facility, including the means of conveyance of natural gas, electricity, oil or water, and equipment related thereto, located outside the plant or facility;

(D) office machines and equipment including computers and related peripheral equipment not used directly and primarily to control or measure the manufacturing process;

(E) furniture and other furnishings;

(F) buildings, other than exempt machinery and equipment that is permanently affixed to or becomes a physical part of the building, and any other part of real estate that is not otherwise exempt;

(G) building fixtures that are not integral to the manufacturing operation, such as utility systems for heating, ventilation, air conditioning, communications, plumbing or electrical;

(H) machinery and equipment used for general plant heating, cooling and lighting;

(I) motor vehicles that are registered for operation on public highways; or

(J) employee apparel, except safety and protective apparel that is purchased by an employer and furnished gratuitously to employees who are involved in production or research activities.

(6) Paragraphs (3) and (5) shall not be construed as exclusive listings of the machinery and equipment that qualify or do not qualify as an integral or essential part of an integrated production operation. When machinery or equipment is used as an integral or essential part of production operations part of the time and for nonproduction purposes at other times, the primary use of the machinery or equipment shall determine whether or not such machinery or equipment qualifies for exemption.

(7) The secretary of revenue shall adopt rules and regulations necessary to administer the provisions of this subsection;

(II) all sales of educational materials purchased for distribution to the public at no charge by a nonprofit corporation organized for the purpose of encouraging, fostering and conducting programs for the improvement of public health, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such materials purchased by a nonprofit corporation which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(mm) all sales of seeds and tree seedlings; fertilizers, insecticides, herbicides, germicides, pesticides and fungicides; and services, purchased and used for the purpose of producing plants in order to prevent soil erosion on land devoted to agricultural use;

(nn) except as otherwise provided in this act, all sales of services rendered by an advertising agency or licensed broadcast station or any member, agent or employee thereof;

(oo) all sales of tangible personal property purchased by a community action group or agency for the exclusive purpose of repairing or weatherizing housing occupied by low-income individuals;

(pp) all sales of drill bits and explosives actually utilized in the exploration and production of oil or gas;

(qq) all sales of tangible personal property and services purchased by a nonprofit museum or historical society or any combination thereof, including a nonprofit organization that is organized for the purpose of stimulating public interest in the exploration of space by providing educational information, exhibits and experiences, that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(rr) all sales of tangible personal property that will admit the purchaser thereof to any annual event sponsored by a nonprofit organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property purchased by a nonprofit organization which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(ss) all sales of tangible personal property and services purchased by a public broadcasting station licensed by the federal communications commission as a noncommercial educational television or radio station;

(tt) all sales of tangible personal property and services purchased by or on behalf of a not-for-profit corporation that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the sole purpose of constructing a Kansas Korean War memorial;

(uu) all sales of tangible personal property and services purchased by or on behalf of any rural volunteer fire-fighting organization for use exclusively in the performance of its duties and functions;

(vv) all sales of tangible personal property purchased by any of the following organizations that are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the following purposes, and all sales of any such property by or on behalf of any such organization for any such purpose:

(1) The American heart association, Kansas affiliate, inc. for the purposes of providing education, training, certification in emergency cardiac care, research and other related services to reduce disability and death from cardiovascular diseases and stroke;

(2) the Kansas alliance for the mentally ill, inc. for the purpose of advocacy for persons with mental illness and to education, research and support for their families;

(3) the Kansas mental illness awareness council for the purposes of advocacy for persons who are mentally ill and for education, research and support for them and their

families;

(4) the American diabetes association Kansas affiliate, inc. for the purpose of eliminating diabetes through medical research, public education focusing on disease prevention and education, patient education including information on coping with diabetes, and professional education and training;

(5) the American lung association of Kansas, inc. for the purpose of eliminating all lung diseases through medical research, public education including information on coping with lung diseases, professional education and training related to lung disease and other related services to reduce the incidence of disability and death due to lung disease;

(6) the Kansas chapters of the Alzheimer's disease and related disorders association, inc. for the purpose of providing assistance and support to persons in Kansas with Alzheimer's disease, and their families and caregivers;

(7) the Kansas chapters of the Parkinson's disease association for the purpose of eliminating Parkinson's disease through medical research and public and professional education related to such disease;

(8) the national kidney foundation of Kansas and western Missouri for the purpose of eliminating kidney disease through medical research and public and private education related to such disease;

(9) the heartstrings community foundation for the purpose of providing training, employment and activities for adults with developmental disabilities;

(10) the cystic fibrosis foundation, heart of America chapter, for the purposes of assuring the development of the means to cure and control cystic fibrosis and improving the quality of life for those with the disease;

(11) the spina bifida association of Kansas for the purpose of providing financial, educational and practical aid to families and individuals with spina bifida. Such aid includes, but is not limited to, funding for medical devices, counseling and medical educational opportunities;

(12) the CHWC, Inc., for the purpose of rebuilding urban core neighborhoods through the construction of new homes, acquiring and renovating existing homes and other related activities, and promoting economic development in such neighborhoods;

(13) the cross-lines cooperative council for the purpose of providing social services to low income individuals and families;

(14) the dreams work, inc., for the purpose of providing young adult day services to individuals with developmental disabilities and assisting families in avoiding institutional or nursing home care for a developmentally disabled member of their family;

(15) the KSDS, Inc., for the purpose of promoting the independence and inclusion of people with disabilities as fully participating and contributing members of their communities and society through the training and providing of guide and service dogs to people with disabilities, and providing disability education and awareness to the general public;

(16) the lyme association of greater Kansas City, Inc., for the purpose of providing support to persons with lyme disease and public education relating to the prevention, treatment and cure of lyme disease;

(17) the dream factory, inc., for the purpose of granting the dreams of children with critical and chronic illnesses;

(18) the Ottawa Suzuki strings, inc., for the purpose of providing students and families with education and resources necessary to enable each child to develop fine character and musical ability to the fullest potential;

(19) the international association of lions clubs for the purpose of creating and fostering a spirit of understanding among all people for humanitarian needs by providing voluntary services through community involvement and international cooperation;

(20) the Johnson county young matrons, inc., for the purpose of promoting a positive future for members of the community through volunteerism, financial support and education through the efforts of an all volunteer organization;

(21) the American cancer society, inc., for the purpose of eliminating cancer as a major health problem by preventing cancer, saving lives and diminishing suffering from cancer, through research, education, advocacy and service;

(22) the community services of Shawnee, inc., for the purpose of providing food and clothing to those in need;

(23) the angel babies association, for the purpose of providing assistance, support and items of necessity to teenage mothers and their babies; and

(24) the Kansas fairgrounds foundation for the purpose of the preservation, renovation and beautification of the Kansas state fairgrounds;

(ww) all sales of tangible personal property purchased by the habitat for humanity for the exclusive use of being incorporated within a housing project constructed by such organization;

(xx) all sales of tangible personal property and services purchased by a nonprofit zoo that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, or on behalf of such zoo by an entity itself exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986 contracted with to operate such zoo and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo that would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit zoo or the entity operating such zoo. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo. When any nonprofit zoo shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the nonprofit zoo concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or

the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the nonprofit zoo concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(yy) all sales of tangible personal property and services purchased by a parent-teacher association or organization, and all sales of tangible personal property by or on behalf of such association or organization;

(zz) all sales of machinery and equipment purchased by over-the-air, free access radio or television station that is used directly and primarily for the purpose of producing a broadcast signal or is such that the failure of the machinery or equipment to operate would cause broadcasting to cease. For purposes of this subsection, machinery and equipment shall include, but not be limited to, that required by rules and regulations of the federal communications commission, and all sales of electricity which are essential or necessary for the purpose of producing a broadcast signal or is such that the failure of the electricity would cause broadcasting to cease;

(aaa) all sales of tangible personal property and services purchased by a religious organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and used exclusively for religious purposes, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or

the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 1998, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(bbb) all sales of food for human consumption by an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, pursuant to a food distribution program that offers such food at a price below cost in exchange for the performance of community service by the purchaser thereof;

(ccc) on and after July 1, 1999, all sales of tangible personal property and services purchased by a primary care clinic or health center the primary purpose of which is to provide services to medically underserved individuals and families, and that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center that would be exempt from taxation under the provisions of this section if purchased directly by such clinic or center, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property and services purchased by a primary care clinic or health center which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center. When any such clinic or center shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from

whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such clinic or center concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such clinic or center concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(ddd) on and after January 1, 1999, and before January 1, 2000, all sales of materials and services purchased by any class II or III railroad as classified by the federal surface transportation board for the construction, renovation, repair or replacement of class II or III railroad track and facilities used directly in interstate commerce. In the event any such track or facility for which materials and services were purchased sales tax exempt is not operational for five years succeeding the allowance of such exemption, the total amount of sales tax that would have been payable except for the operation of this subsection shall be recouped in accordance with rules and regulations adopted for such purpose by the secretary of revenue;

(eee) on and after January 1, 1999, and before January 1, 2001, all sales of materials and services purchased for the original construction, reconstruction, repair or replacement of grain storage facilities, including railroad sidings providing access thereto;

(fff) all sales of material handling equipment, racking systems and other related machinery and equipment that is used for the handling, movement or storage of tangible personal property in a warehouse or distribution facility in this state; all sales of installation, repair and maintenance services performed on such machinery and equipment; and all sales of repair and replacement parts for such machinery and equipment. For purposes of this subsection, a warehouse or distribution facility means a single, fixed location that consists of buildings or structures in a contiguous area where storage or distribution operations are conducted that are separate and apart from the business' retail operations, if any, and that do not otherwise qualify for exemption as occurring at a manufacturing or processing plant or facility. Material handling and storage equipment shall include aeration, dust control, cleaning, handling and other such equipment that is used in a public grain warehouse or other commercial grain storage facility, whether used for grain handling, grain storage, grain refining or

processing, or other grain treatment operation;

(ggg) all sales of tangible personal property and services purchased by or on behalf of the Kansas academy of science, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and used solely by such academy for the preparation, publication and dissemination of education materials;

(hhh) all sales of tangible personal property and services purchased by or on behalf of all domestic violence shelters that are member agencies of the Kansas coalition against sexual and domestic violence;

(iii) all sales of personal property and services purchased by an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and such personal property and services are used by any such organization in the collection, storage and distribution of food products to nonprofit organizations that distribute such food products to persons pursuant to a food distribution program on a charitable basis without fee or charge, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities used for the collection and storage of such food products for any such organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax

otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 2005, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(jjj) all sales of dietary supplements dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "dietary supplement" means any product, other than tobacco, intended to supplement the diet that: (1) Contains one or more of the following dietary ingredients: A vitamin, a mineral, an herb or other botanical, an amino acid, a dietary substance for use by humans to supplement the diet by increasing the total dietary intake or a concentrate, metabolite, constituent, extract or combination of any such ingredient; (2) is intended for ingestion in tablet, capsule, powder, softgel, gelcap or liquid form, or if not intended for ingestion, in such a form, is not represented as conventional food and is not represented for use as a sole item of a meal or of the diet; and (3) is required to be labeled as a dietary supplement, identifiable by the supplemental facts box found on the label and as required pursuant to 21 C.F.R. § 101.36;

(lll) all sales of tangible personal property and services purchased by special olympics Kansas, inc. for the purpose of providing year-round sports training and athletic competition in a variety of olympic-type sports for individuals with intellectual disabilities by giving them continuing opportunities to develop physical fitness, demonstrate courage, experience joy and participate in a sharing of gifts, skills and friendship with their families, other special olympics athletes and the community, and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization;

(mmm) all sales of tangible personal property purchased by or on behalf of the Marillac center, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing psycho-social-biological and special education services to children, and all sales of any such property by or on behalf of such organization for such purpose;

(nnn) all sales of tangible personal property and services purchased by the west Sedgwick county-sunrise rotary club and sunrise charitable fund for the purpose of constructing a boundless playground which is an integrated, barrier free and developmentally advantageous play environment for children of all abilities and disabilities;

(ooo) all sales of tangible personal property by or on behalf of a public library serving the general public and supported in whole or in part with tax money or a not-for-profit organization whose purpose is to raise funds for or provide services or other benefits to any such public library;

(ppp) all sales of tangible personal property and services purchased by or on behalf

of a homeless shelter that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal income tax code of 1986, and used by any such homeless shelter to provide emergency and transitional housing for individuals and families experiencing homelessness, and all sales of any such property by or on behalf of any such homeless shelter for any such purpose;

(qqq) all sales of tangible personal property and services purchased by TLC for children and families, inc., hereinafter referred to as TLC, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of TLC for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by TLC. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC. When TLC contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(rrr) all sales of tangible personal property and services purchased by any county law library maintained pursuant to law and sales of tangible personal property and services purchased by an organization that would have been exempt from taxation under the provisions of this subsection if purchased directly by the county law library for the

purpose of providing legal resources to attorneys, judges, students and the general public, and all sales of any such property by or on behalf of any such county law library;

(sss) all sales of tangible personal property and services purchased by catholic charities or youthville, hereinafter referred to as charitable family providers, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of charitable family providers for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for charitable family providers for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by charitable family providers. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for charitable family providers. When charitable family providers contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to charitable family providers a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, charitable family providers shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(ttt) all sales of tangible personal property or services purchased by a contractor for a project for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility owned by a nonprofit museum that has been granted an exemption pursuant to subsection (qq),

which such home or facility is located in a city that has been designated as a qualified hometown pursuant to the provisions of K.S.A. 75-5071 et seq., and amendments thereto, and which such project is related to the purposes of K.S.A. 75-5071 et seq., and amendments thereto, and that would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit museum. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility for any such nonprofit museum. When any such nonprofit museum shall contract for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such nonprofit museum a sworn statement on a form to be provided by the director of taxation that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in a home or facility or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such nonprofit museum shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(uuu) all sales of tangible personal property and services purchased by Kansas children's service league, hereinafter referred to as KCSL, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing for the prevention and treatment of child abuse and maltreatment as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of KCSL for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for KCSL for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by KCSL. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or

remodeling such facilities for KCSL. When KCSL contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to KCSL a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, KCSL shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(vvv) all sales of tangible personal property or services, including the renting and leasing of tangible personal property or services, purchased by jazz in the woods, inc., a Kansas corporation that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing jazz in the woods, an event benefiting children-in-need and other nonprofit charities assisting such children, and all sales of any such property by or on behalf of such organization for such purpose;

(www) all sales of tangible personal property purchased by or on behalf of the Frontenac education foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education support for students, and all sales of any such property by or on behalf of such organization for such purpose;

(xxx) all sales of personal property and services purchased by the booth theatre foundation, inc., an organization, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such personal property and services are used by any such organization in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling of the booth theatre, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling the booth theatre for such organization, that would be exempt from taxation under the provisions of this section if

purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after January 1, 2007, but prior to the effective date of this act upon the gross receipts received from any sale which would have been exempted by the provisions of this subsection had such sale occurred after the effective date of this act shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(yyy) all sales of tangible personal property and services purchased by TLC charities foundation, inc., hereinafter referred to as TLC charities, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of encouraging private philanthropy to further the vision, values, and goals of TLC for children and families, inc.; and all sales of such property and services by or on behalf of TLC charities for any such purpose and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining,

repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC charities for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by TLC charities. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC charities. When TLC charities contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC charities a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be incorporated into the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC charities shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(zzz) all sales of tangible personal property purchased by the rotary club of shawnee foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, as amended, used for the purpose of providing contributions to community service organizations and scholarships;

(aaaa) all sales of personal property and services purchased by or on behalf of victory in the valley, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing a cancer support group and services for persons with cancer, and all sales of any such property by or on behalf of any such organization for any such purpose;

(bbbb) all sales of entry or participation fees, charges or tickets by Guadalupe health foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for such organization's annual fundraising event which purpose is to provide health care services for uninsured workers;

(cccc) all sales of tangible personal property or services purchased by or on behalf

of wayside waifs, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing such organization's annual fundraiser, an event whose purpose is to support the care of homeless and abandoned animals, animal adoption efforts, education programs for children and efforts to reduce animal over-population and animal welfare services, and all sales of any such property, including entry or participation fees or charges, by or on behalf of such organization for such purpose;

(dddd) all sales of tangible personal property or services purchased by or on behalf of goodwill industries or Easter seals of Kansas, inc., both of which are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education, training and employment opportunities for people with disabilities and other barriers to employment;

(eeee) all sales of tangible personal property or services purchased by or on behalf of all American beef battalion, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of educating, promoting and participating as a contact group through the beef cattle industry in order to carry out such projects that provide support and morale to members of the United States armed forces and military services;

(ffff) all sales of tangible personal property and services purchased by sheltered living, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing residential and day services for people with developmental disabilities or intellectual disability, or both, and all sales of any such property by or on behalf of sheltered living, inc., for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling homes and facilities for sheltered living, inc., for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by sheltered living, inc. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities for sheltered living, inc. When sheltered living, inc., contracts for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to sheltered living, inc., a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the

month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, sheltered living, inc., shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(gggg) all sales of game birds for which the primary purpose is use in hunting;

(hhhh) all sales of tangible personal property or services purchased on or after July 1, 2014, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business identified under the North American industry classification system (NAICS) subsectors 1123, 1124, 112112, 112120 or 112210, and the sale and installation of machinery and equipment purchased for installation at any such business. The exemption provided in this subsection shall not apply to projects that have actual total costs less than \$50,000. When a person contracts for the construction, reconstruction, enlargement or remodeling of any such business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to the owner of the business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor of the contractor, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(iiii) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for Wichita children's home for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by Wichita children's home. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for Wichita children's home. When Wichita children's home contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute

invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to Wichita children's home a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, Wichita children's home shall be liable for the tax on all materials purchased for the project, and upon payment, it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(jjjj) all sales of tangible personal property or services purchased by or on behalf of the beacon, inc., that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing those desiring help with food, shelter, clothing and other necessities of life during times of special need;

(kkkk) all sales of tangible personal property and services purchased by or on behalf of reaching out from within, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of sponsoring self-help programs for incarcerated persons that will enable such incarcerated persons to become role models for non-violence while in correctional facilities and productive family members and citizens upon return to the community;

(llll) all sales of tangible personal property and services purchased by Gove county healthcare endowment foundation, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of constructing and equipping an airport in Quinter, Kansas, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing and equipping an airport in Quinter, Kansas, for such organization, that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing or equipping of facilities for such organization. When such organization shall contract for the purpose of constructing or equipping an airport in Quinter, Kansas, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such

organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation no later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. The provisions of this subsection shall expire and have no effect on and after July 1, 2019;

(mmmm) all sales of gold or silver coins; and palladium, platinum, gold or silver bullion. For the purposes of this subsection, "bullion" means bars, ingots or commemorative medallions of gold, silver, platinum, palladium, or a combination thereof, for which the value of the metal depends on its content and not the form;

(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; ~~and~~

(oooo) all sales of tangible personal property or services purchased for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a qualified business facility by a qualified firm or qualified supplier that meets the requirements established in K.S.A. 2022 Supp. 74-50,312 and 74-50,319, and amendments thereto, and that has been approved for a project exemption certificate by the secretary of commerce; and the sale and installation of machinery and equipment purchased by such qualified firm or qualified supplier for installation at any such qualified business facility. When a person shall contract for the construction, reconstruction, enlargement or remodeling of any such qualified business facility, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering ~~the same such purchases~~ bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to the owner of the qualified firm or qualified supplier a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to

exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. As used in this subsection, "qualified business facility," "qualified firm" and "qualified supplier" mean the same as defined in K.S.A. 2022 Supp. 74-50,311, and amendments thereto; and

(pppp) all sales of tangible personal property or services constituting production or postproduction expenditures purchased for the purpose of a certified project by a production company that meets the requirements established in section 3, and amendments thereto, and that has been approved for a project exemption certificate by the secretary of commerce and the sale and installation of machinery and equipment constituting production or postproduction expenditures purchased by such production company for use in this state for a certified project. Such sales tax exemptions may be limited by the secretary of commerce as provided by section 3, and amendments thereto. When a production company contracts for construction, reconstruction, enlargement or remodeling of any facility for purposes of a certified project that constitutes a production or postproduction expenditure, the production company shall obtain from the state and furnish to the contractor an exemption certificate for the certified project, and the contractor may purchase materials, machinery and equipment for incorporation in such work. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering such purchases bearing the number of such certificate. Upon completion of the work, the contractor shall furnish to the owner of the production company a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection and section 3, and amendments thereto. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof who uses or otherwise disposes of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. As used in this subsection, "certified project," "postproduction expenditure," "production company" and "production expenditure" mean the same as defined in section 2, and amendments thereto.

Also on page 3, in line 21, by striking "K.S.A. 75-1253 and 75-5804 are" and inserting "K.S.A. 2022 Supp. 79-3606 is"; in line 23, 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 "ACT"; by striking all in lines 2 through 8; in line 9, by striking all before the period and inserting "concerning economic development; enacting the Kansas film and digital media production development act; establishing an income tax credit, sales tax exemption and loan and

grant program to be administered by the secretary of commerce for the purpose of developing film, video or digital production in Kansas; establishing the Kansas film and digital media production development act education fund and the Kansas film and digital media production development act workforce training and business direct investment fund; requiring the secretary of commerce to issue reports on the economic impact of the act; K.S.A. 2022 Supp. 79-3606 and repealing the existing section";

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

RENEE ERICKSON
BRENDA DIETRICH
TOM HOLLAND
Conferees on part of Senate

SEAN TARWATER
JESSE BORJON
JASON PROBST
Conferees on part of House

Senator Dietrich moved the Senate adopt the Conference Committee Report on **HB 2234**.

On roll call, the vote was: Yeas 32; Nays 6; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Petersen, Pettey, Pittman, Reddi, Ryckman, Sykes, Ware, Warren, Wilborn.

Nays: Peck, Pyle, Steffen, Straub, Thompson, Tyson.

Absent or Not Voting: McGinn, Shallenburger.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2292** 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 8, in line 3, before the period by inserting "that seeks to engage in a registered education apprenticeship program"; in line 11, by striking all after "school"; in line 12, by striking all before "and"; in line 39, after the second comma, by inserting "of an applicant school"; in line 42, by striking "commissioner of education and the"; also in line 42, by striking the second "of"; in line 43, by striking all before the period; following line 43, by inserting:

"(f) "Secretary" means the secretary of commerce or the secretary's designee, including the director of the office of registered apprenticeship or any successor, designated by the secretary to administer the provisions of this act.";

On page 9, in line 3, by striking all after "secretary"; in line 4, by striking all before "shall"; also in line 4, by striking the second comma and inserting "and"; in line 6, by

striking the second "and" and inserting ". The secretary shall"; in line 9, by striking "applicant schools" and inserting "education apprentices for tuition, fees, books and materials to obtain their postsecondary degrees"; in line 12, after "participate", by inserting "as education apprentices"; in line 15, by striking all after "the"; in line 16, by striking the first "education" and inserting "secretary"; in line 17, after "program" by inserting "of an applicant school"; also in line 17, by striking "of commerce, or the secretary's designee,"; in line 19, by striking "in"; in line 20, by striking all before "the" and inserting "and"; also in line 20, by striking "of commerce"; also in line 20, after "shall" by inserting "coordinate to"; in line 24, by striking all after "(1)"; in line 25, by striking all before the semicolon and inserting "Application procedures, forms and terms and conditions and requirements for an award of a Kansas educator registered apprenticeship program grant to an education apprentice by the secretary"; in line 26, by striking "an award of a" and inserting "acceptance by the secretary of an applicant school into the"; in line 27, by striking "grant"; in line 32, after the semicolon, by inserting "and"; in line 36, by striking "(C)" and inserting "(3)"; also in line 36, after "of" by inserting "education"; in line 37, by striking "and" and inserting a comma; also in line 37, after "fees" by inserting "and the cost of books and materials"; in line 38, by striking "and"; by striking all in lines 39 and 40; in line 41, by striking "grant";

On page 10, in line 5, by striking "and" and inserting a comma; in line 6, by striking ", in coordination with" and inserting "and"; also in line 6, by striking all after "secretary"; in line 7, by striking all before "shall"; in line 28, by striking all after the first "the"; in line 29, by striking all before the period and inserting "secretary"; in line 35, by striking all after "the"; in line 36, by striking all before "designee" and inserting "secretary, or the secretary's"; in line 37, by striking "commissioner" and inserting "secretary";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

Also on page 10, following line 42, by inserting:

"Sec. 7. As used in this section and section 8, and amendments thereto:

(a) "Eligible institution of higher education" means:

(1) (A) A state educational institution as defined in K.S.A. 76-711, and amendments thereto; or

(B) any private, independent college with its primary location in Kansas that is a member of the Kansas independent college association as of July 1, 2023; and

(2) that has an engineering program accredited by the accreditation board for engineering and technology.

(b) "Engineering program" or "accredited engineering program" means an engineering program accredited by the accreditation board for engineering and technology and includes, but is not limited to, a program in computer engineering or computer science.

(c) "Qualified eligible institution of higher education" means an eligible institution of higher education that has certified to the secretary that, in the immediately preceding academic year, at least the following number of students have graduated with baccalaureate degrees from an engineering program or programs with respect to each institution:

(1) Kansas state university, 586 graduates;

(2) university of Kansas, 419 graduates;

- (3) Wichita state university, 360 graduates;
 - (4) any other state educational institution as defined in K.S.A. 76-711, and amendments thereto, with an accredited engineering program, one or more graduates; and
 - (5) private, independent colleges, one or more graduates.
- (d) "Secretary" means the secretary of commerce.

Sec. 8. (a) There is hereby created in the state treasury the engineering graduate incentive fund. The secretary of commerce shall administer the fund. All expenditures from the fund shall be for the purpose of promoting the development of accredited postsecondary engineering programs in Kansas by providing grants that shall be matched on a \$1-for-\$1 basis with funds from nonstate sources to qualified eligible institutions of higher education for:

- (1) Awarding scholarships to undergraduate students enrolled at such institutions in an engineering program;
- (2) recruiting undergraduate students for engineering programs offered by such institutions;
- (3) expanding the number of potential engineering students through engineering-related activities in secondary schools in Kansas;
- (4) funding internships for undergraduate students enrolled at such institutions in an engineering program;
- (5) making necessary facility improvements or equipment purchases to expand engineering program course offerings; or
- (6) hiring additional faculty or enhancing faculty salaries in such an institution's engineering program.

(b) Applications for matching grants shall be made by eligible institutions of higher education to the secretary in the form and manner required by the secretary. If the secretary determines the institution is a qualified eligible institution of higher education, finds the institution has sufficient nonstate funding to match the grant requested on a \$1-for-\$1 basis and approves the application, the qualified eligible institution of higher education shall receive a matching grant. If sufficient moneys are available in the engineering graduate incentive fund to fully fund all approved applications, the amount of the matching grant shall be at least \$20,000 for each graduate of an engineering program of the institution during the immediately preceding academic year, as determined by the secretary, in excess of the threshold requirement for qualification as a qualified eligible institution of higher education pursuant to section 1, and amendments thereto. If sufficient moneys are not available in the engineering graduate incentive fund to fully fund all approved applications in an amount of at least \$20,000 for each such graduate, the secretary shall award grants in a prorated amount so that all approved applicant qualified eligible educational institutions receive the same amount of grant money for a graduate in excess of such respective threshold. The secretary shall consult with and coordinate with eligible institutions of higher education, qualified eligible institutions of higher education, the state board of regents, or private industry in planning and developing uses for matching grant funding to achieve the purpose of this act.

(c) Qualified eligible institutions of higher education that receive a matching grant shall provide such information as requested by the secretary, excluding any information confidential under state or federal law, regarding the use of grant funds. On or before

January 10, 2024, and on or before the first day of each regular session of the legislature thereafter, the secretary shall provide a written report to the house of representatives standing committee on commerce, labor and economic development, or its successor committee, and the senate standing committee on commerce, or its successor committee, on the amount and uses of grant funding by each qualified eligible educational institution of higher education that has received a matching grant and progress made toward the goal of this act.

(d) All expenditures from the engineering graduate fund shall be for the purposes described in subsection (a) and 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 commerce or the secretary's designee.

(e) No moneys appropriated to the engineering graduate incentive fund shall be expended for the acquisition or construction of any facilities.

(f) (1) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,500,000 from the state general fund to the engineering graduate fund.

(2) On July 1, 2024, and on each July 1 thereafter, the secretary shall certify to the director of accounts and reports the amount of moneys expended for grants from the engineering graduate fund in the prior fiscal year. Upon receipt of such certification, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer from the state general fund to the engineering graduate fund an amount equal to twice the amount certified by the secretary of commerce, except that if such transfer would result in an unencumbered balance in the engineering graduate fund of greater than \$5,000,000, the director of accounts and reports shall transfer the amount of moneys that shall result in an unencumbered balance of \$5,000,000 in the engineering graduate fund on such date.

Sec. 9. The provisions of sections 7 through 9, and amendments thereto, shall expire on July 1, 2033. On July 1, 2033, the director of accounts and reports shall transfer all unencumbered moneys in the engineering graduate fund to the state general fund. After such transfer, the engineering graduate fund shall be abolished. Upon abolishment of such fund, all liabilities of the engineering graduate fund shall be transferred to and imposed on the state general fund.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after the semicolon by inserting "relating to workforce development programs to be administered by the secretary of commerce"; in line 2, by striking all after "act"; in line 3, by striking all before "apprenticeships" and inserting "to promote and expand"; also in line 3, by striking the second "for" and inserting "with"; in line 5, by striking all before the semicolon and inserting "public schools by providing grants and tax credits for businesses, nonprofit organizations and healthcare organizations that offer apprenticeships and providing scholarship grants to aspiring teachers to obtain their professional degrees; promoting and expanding public and private professional engineering programs by providing matching grants for engineering student scholarships and other program development and expansion costs"; in line 7, by striking "and" and inserting a comma; in line 8, after "fund" by inserting "and the engineering graduate incentive fund to be administered by the secretary of commerce";

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

RENEE ERICKSON
BRENDA DIETRICH
TOM HOLLAND
Conferees on part of Senate

SEAN TARWATER
JESSE BORJON
JASON PROBST
Conferees on part of House

Senator Erickson moved the Senate adopt the Conference Committee Report on **HB 2292**.

On roll call, the vote was: Yeas 32; Nays 6; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Petersen, Pettey, Pittman, Reddi, Ryckman, Sykes, Ware, Warren, Wilborn.

Nays: Peck, Pyle, Steffen, Straub, Thompson, Tyson.

Absent or Not Voting: McGinn, Shallenburger.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2350** submits the following report:

The Senate recedes from all of its amendments to the bill.

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

KELLIE WARREN
RICK WILBORN
ETHAN CORSON
Conferees on part of Senate

STEPHEN OWENS
ERIC SMITH
BOOG HIGHBERGER
Conferees on part of House

Senator Warren moved the Senate adopt the Conference Committee Report on **HB 2350**.

On roll call, the vote was: Yeas 36; Nays 2; Present and Passing 0; Absent or Not Voting 2.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Warren, Wilborn.

Nays: Faust-Goudeau, Ware.
 Absent or Not Voting: McGinn, Shallenburger.
 The Conference Committee Report was adopted.

On motion of Senator Alley, the Senate recessed until the sound of the gavel.

The Senate met pursuant to recess with Vice President Wilborn in the chair.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **SB 123**.
 The House adopts the Conference Committee report on **SB 217**.
 The House adopts the Conference Committee report on **SB 228**.
 The House adopts the Conference Committee report to agree to disagree on **S Sub HB 2390**, and has appointed Representatives W. Carpenter, Humphries and Hoye as second conferees on the part of the House.

CONSIDERATION OF MOTIONS TO CONCUR AND NONCONCUR

Senator Thompson moved the Senate concur in House amendments to **SB 209**.
SB 209, AN ACT concerning elections; relating to advance voting ballots; requiring the return of such ballots by 7 p.m. on the day of the election; amending K.S.A. 25-1132 and repealing the existing section.
 On roll call, the vote was: Yeas 23; Nays 14; Present and Passing 0; Absent or Not Voting 3.
 Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.
 Nays: Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Longbine, Pettey, Pittman, Reddi, Sykes, Ware.
 Absent or Not Voting: Blasi, McGinn, Shallenburger.
 The Senate concurred.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 123** 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 7, by inserting:
 "New Section 1. (a) Sections 1 through 9, and amendments thereto, shall be known and may be cited as the Kansas adult learner grant act.
 (b) As used in the Kansas adult learner grant act:
 (1) "Adult learner grant eligible program" means any baccalaureate degree program offered by an eligible postsecondary educational institution that is identified as an "adult learner grant eligible program" by the state board of regents pursuant to section 2, and amendments thereto, or designated as an "adult learner grant eligible program" by an eligible postsecondary educational institution pursuant to section 3, and

amendments thereto.

(2) "Eligible postsecondary educational institution" means:

(A) A state educational institution under the control and supervision of the board of regents;

(B) a municipal university;

(C) any not-for-profit institution of postsecondary education with its main campus or principal place of operation in Kansas that offers an adult learner grant 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; or

(D) a not-for-profit independent institution of higher education which is accredited by an institutional accrediting agency recognized by the United States department of education, is operated independently and not controlled or administered by the state or any agency or subdivision thereof, maintains open enrollment, offers online education and offers exclusively competency-based education programs.

(3) "Part-time student" means a student who is enrolled for six credit hours or more in a semester, or the equivalent, and is not enrolled as a full-time student.

New Sec. 2. (a) There is hereby established the Kansas adult learner grant program. The state board of regents shall administer the program.

(b) On or before March 1, 2024, the state board of regents shall adopt rules and regulations to implement and administer the Kansas adult learner grant program. Such rules and regulations shall establish:

(1) Grant application and renewal forms and deadlines;

(2) appeal procedures for denial or revocation of a Kansas adult learner grant;

(3) the terms, conditions and requirements for the Kansas adult learner grant consistent with the provisions of this act; and

(4) procedures for requesting and approving medical, military and personal absences from an eligible postsecondary educational institution while a Kansas adult learner grant recipient is receiving such grant.

(c) The state board of regents shall:

(1) Identify the adult learner grant 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) healthcare and nursing;

(iii) science, engineering, aerospace and advanced manufacturing;

(iv) education, early childhood education and development;

(v) business, accounting and data analytics; 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 adult learner grants, including, but not limited to, publicizing eligible postsecondary educational institutions, approved grant-eligible educational programs and application and renewal procedures and deadlines;

(3) disburse funds to each eligible postsecondary educational institution for the

purpose of awarding Kansas adult learner grants;

(4) request information from eligible postsecondary educational institutions necessary for the administration of this act; and

(5) beginning January 1, 2025, annually evaluate the Kansas adult learner grant program and prepare and submit a report to the senate standing committee on education and committee on commerce and the house of representatives standing committee on education and committee on commerce, labor and economic development.

New Sec. 3. (a) Subject to subsection (b), an eligible postsecondary educational institution may designate one additional adult learner grant eligible program if the additional program is a baccalaureate degree program that corresponds to a high wage, high demand or critical need occupation.

(b) To designate an additional adult learner grant eligible program, such institution shall have and maintain an existing adult learner grant eligible program in any of the following fields of study:

- (1) Information technology and security;
- (2) healthcare and nursing;
- (3) science, engineering, aerospace and advanced manufacturing;
- (4) education and early childhood education and development; or
- (5) business, accounting and data analytics.

(c) An eligible postsecondary educational institution that designates an additional adult learner grant eligible program pursuant to subsection (a) shall maintain the adult learner grant eligible program designation of such program for at least four consecutive years. After maintaining such program for at least four years, the institution may designate a new adult learner grant eligible program that corresponds to a high wage, high demand or critical need occupation to replace the existing designated adult learner grant eligible program. Any newly designated program shall be subject to the requirements of this section.

New Sec. 4. (a) Subject to appropriations, the amount of a Kansas adult learner grant for a student shall be \$3,000 per semester, except that such amount shall be prorated if the student is not enrolled full-time. The prorated amount shall be calculated on a sliding scale, in which full-time enrollment is 12 credit hours per semester and shall qualify for a 100% grant and 6 credit hours of enrollment per semester shall qualify for a 50% grant.

(b) Students receiving an adult learner grant are eligible to continue to receive such grant for up to 48 months after the date that the grant was first awarded or upon graduation from the program, whichever comes first.

(c) Except as otherwise provided in this subsection, Kansas adult learner grants 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.

(d) Moneys awarded as a grant under this act shall only be expended for tuition, required fees and the cost of books and required materials.

(e) For fiscal year 2024 and each fiscal year thereafter, the appropriation made for the Kansas adult learner grant program shall not exceed \$1,000,000 for each fiscal year.

New Sec. 5. (a) To be eligible for a Kansas adult learner grant, a student shall:

- (1) Be a Kansas resident;

(2) be 25 years of age or older at the time the student's first course that is funded by a grant begins;

(3) complete the required grant application on such forms and in such manner as established by the state board of regents;

(4) complete the free application for federal student aid for the academic year in which the student applies to receive a Kansas adult learner grant; and

(5) enroll as a full-time student or part-time student at an eligible postsecondary educational institution in an adult learner grant eligible program.

(b) To continue to receive a Kansas adult learner grant, a student shall:

(1) Maintain satisfactory academic progress, including a grade point average of 2.0 or higher, or the equivalent thereof, toward completion of the adult learner grant eligible program;

(2) complete a grant renewal application on such forms and in such manner as established by the state board of regents; and

(3) complete the free application for federal student aid for the academic year for which the student applies to renew the grant.

New Sec. 6. (a) As a condition to receiving a grant under this act, an eligible student shall enter into an agreement with the eligible postsecondary educational institution that awarded such grant. Such eligible postsecondary educational institution shall counsel each eligible student on the requirements and conditions of the agreement. Such agreement shall require any student who receives a grant award to:

(1) Enroll as a full-time or part-time student at the eligible postsecondary educational institution that made the grant award and engage in and complete the adult learner grant eligible program;

(2) within six months after graduation from the adult learner grant eligible program:

(A) Reside and commence work in the state of Kansas for at least two consecutive years following completion of such program. A scholarship recipient may use a W-2 wage and tax statement showing Kansas withholding or estimated income tax to the state of Kansas as proof of work in Kansas; 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 an agreement entered into pursuant to this section, repay the amount of the grant award the student received under the program as provided in subsection (b) to the state board of regents.

(b) (1) Except as provided in subsection (c), if any student who receives a grant award fails to satisfy the requirements of the agreement entered into pursuant to this section, such student shall pay an amount equal to the total amount of money received by such student pursuant to such agreement plus accrued interest at a rate equivalent to the interest rate applicable to loans made under the federal PLUS program at the time such student's first course funded by a grant award began. Interest shall begin accruing on the date the student is determined to be out of compliance with the agreement.

Monthly 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 the 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 adult learner grant program fund.

(2) The state board of regents shall be the sole entity responsible for collecting or recouping any grant moneys required to be repaid by a student who fails to satisfy the requirements of an agreement entered into pursuant to this section.

(3) The state board of regents is authorized to turn any repayment account arising under this act to a designated loan servicer or collection agency to collect on the state board's behalf. The state's involvement shall only be to receive payments from the loan servicer or collection agency at the interest rate prescribed under this subsection.

(4) Eligible postsecondary educational institutions and each state agency are authorized to provide academic, employment, residency and contact information regarding students who received a grant award to the state board of regents for the purposes of:

(A) Determining whether or not a student satisfied the requirements of this act and the agreement entered into pursuant to this section; and

(B) aiding in the collection or recoupment of any funds required to be repaid pursuant to this section.

(5) Eligible postsecondary educational institutions shall:

(A) Provide annually to the state board of regents the last known contact information of each student who received a grant award until the requirements of the program and the agreement are complete; and

(B) notify the state board of regents when a student who received a grant award completes the program of study for which the student received the grant or has exhausted the benefits available under this act.

(6) Eligible postsecondary educational institutions shall not be considered a contractor of the state nor shall such institutions be required to participate in tracking, collecting or recouping any moneys required to be repaid by a student who fails to satisfy the requirements of an agreement entered into pursuant to this section.

(c) Any requirement of an 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 adult learner grant program if such recipient:

(1) Completes the requirements of the agreement entered into pursuant to this section;

(2) commences service as a military servicemember after receiving a grant award;

(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 grant recipient.

New Sec. 7. (a) Notwithstanding the grant limitation in section 4, and amendments thereto, an individual who has received a Kansas adult learner grant shall qualify for a Kansas workforce retention incentive income tax credit against the individual's tax liability under the Kansas income tax act of \$1,500 if they demonstrate satisfactorily to the secretary of revenue that they:

(1) Successfully completed their adult learner grant eligible program with the awarding of their degree; and

(2) (A) Currently reside in Kansas, have resided in Kansas for at least two consecutive years following completion of their program and are currently employed in the state of Kansas; or

(B) have commenced service as a military servicemember.

(b) To claim the credit, the individual shall submit such information and documentation in the form and manner required by the secretary of revenue.

(c) The individual may claim the income tax credit not later than the 5th taxable year after the taxable year in which the individual successfully completed the adult learner grant eligible program with an award of their degree. Any amount of the credit that exceeds the individual's tax liability shall be carried forward once to the next succeeding taxable year as a credit against the individual's income tax liability for such year. Any amount of the credit remaining after being carried forward once shall be forfeited.

(d) On or before March 1, 2024, the secretary of revenue shall adopt rules and regulations to implement and administer the income tax credit established by this section. Such rules and regulations shall include criteria to determine whether an individual who has received a Kansas adult learner grant has fulfilled the requirements to qualify for a tax credit pursuant to this section.

New Sec. 8. There is hereby created in the state treasury the Kansas adult learner grant program fund, which shall be administered by the state board of regents. All expenditures from the Kansas adult learner grant program fund shall be for Kansas adult learner grants awarded pursuant to the Kansas adult learner grant program. All expenditures from the Kansas adult learner grant 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 of regents or the designee of the executive officer. All moneys received by such board for the Kansas adult learner grant 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 adult learner grant program fund.

New Sec. 9. The provisions of sections 1 through 8, and amendments thereto, shall expire on July 1, 2028.

New Sec. 10. (a) This section shall be known and may be cited as the career technical education credential and transition incentive for employment success act.

(b) Each school district that offers career technical education for students enrolled in any of the grades nine through 12 shall, upon request by any such student, pay any fees charged for any assessment or other examination that is required for such student to obtain an approved industry-sought career technical education credential.

(c) (1) On or before July 1, 2023, and each July 1 thereafter, the state board of education and state board of regents shall jointly conduct a survey of school districts and colleges on which career technical education credentials each school district offers that satisfies the definition of "industry-sought credential" under subsection (d).

(2) On or before July 31, 2023, and each July 31 thereafter, the state board of education and state board of regents, after consultation with the secretary of labor, the secretary of commerce and representatives of industries that recognize career technical education credentials, shall jointly approve a list of industry-sought credentials.

(d) As used in this section:

(1) "College" means any community college, technical college or the Washburn institute of technology; and

(2) "industry-sought credential" means a career technical education credential that is:

(A) Repeatedly referenced in job postings; and

(B) frequently referred to by employers in communications with school districts as a career technical education credential that is in demand.";

On page 2, following line 20, by inserting:

"Sec. 12. K.S.A. 2022 Supp. 74-32,272 is hereby amended to read as follows: 74-32,272. (a) There is hereby established the Kansas promise scholarship program. The state board of regents shall implement and administer the program.

(b) On or before March 1, 2023, 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) A scholarship application process, including, but not limited to, accepting scholarship applications throughout the academic year and processing such applications in the order such applications were received;

(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, which shall not be more stringent than the requirements for Kansas promise scholarship agreements provided in this act;

(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 K.S.A. 2022 Supp. 74-32,276, and amendments thereto;

(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; and

- (8) that no eligible postsecondary educational institution may:
- (A) Limit scholarship awards to certain promise eligible programs at such institution; or
- (B) award less than the full Kansas promise scholarship amount for which a student qualifies as long as funds are available in the Kansas promise scholarship program fund.
- (c) The state board of regents shall:
- (1) Identify the promise eligible programs offered by each eligible postsecondary educational institution that are:
- (A) Within a field of study designated by the eligible postsecondary educational institution pursuant to K.S.A. 2022 Supp. 74-32,273, and amendments thereto; and
- (B) 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, elementary education and secondary education;
- (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 and any state agency necessary for the administration of this act;
- (5) accept electronic signatures as sufficient and valid on all forms and agreements required by the Kansas promise scholarship program and any rules and regulations adopted thereunder;
- (6) enforce Kansas promise scholarship agreements;
- (7) collect any moneys repaid by students pursuant to K.S.A. 2022 Supp. 74-32,276, and amendments thereto;
- (8) determine whether students who received a Kansas promise scholarship fulfill the residency, employment and repayment requirements provided in K.S.A. 2022 Supp. 74-32,276, and amendments thereto; and
- (9) ~~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. Such report shall include, but not be limited to, the total program cost for each promise eligible program at each eligible postsecondary educational institution, the amount of scholarship moneys awarded that went to each promise eligible program, the number of credit hours paid for with scholarship moneys, the amount of scholarship moneys expected to be awarded to each institution for each semester, the number of scholarships awarded, the total amount of scholarship moneys awarded, the amount of scholarship moneys provided for tuition, fees, books and supplies, measures postsecondary educational institutions have taken in working with private business and industry in the state to determine appropriate fields of study and a review of the employment of scholarship

recipients who have completed the Kansas promise scholarship program, including, but not limited to, employment fields and geographic location of such employment.

(d) (1) The state board of regents may designate an associate degree transfer program as an eligible program only if such program is included in:

(A) An established 2+2 agreement with a Kansas four-year postsecondary educational institution; or

(B) an articulation agreement with a Kansas four-year postsecondary educational institution and is part of an established degree pathway that allows a student to transfer at least 60 credit hours from the eligible postsecondary educational institution to a four-year postsecondary educational institution for the completion of an additional 60 credit hours toward a bachelor's degree.

(2) The provisions of this subsection shall be construed and applied retroactively to the enactment of the Kansas promise scholarship program on July 1, 2021.

(e) (1) The state board of regents may remove a promise eligible program from the list of approved promise eligible programs only in accordance with this subsection. If the state board of regents proposes to remove a promise eligible program from such list, the state board of regents shall notify all eligible postsecondary educational institutions of the proposal to remove such program by May 1 of the calendar year that precedes the calendar year in which such program would officially be removed from such list. Within 30 calendar days of receipt, each eligible postsecondary educational institution may appeal such proposed removal to the state board of regents. Following such appeal period, within 45 calendar days, the state board of regents shall consider any such appeal and issue a final decision upon whether the program shall be removed. If the state board of regents issues a final decision to remove such program, the program shall be removed from the list of approved promise eligible programs only after not less than 14 months have elapsed from the date that the state board of regents issued the final decision to remove such program.

(2) The provisions of this subsection shall apply to any program that has been approved by the state board of regents as a promise eligible program on or after July 1, 2021.

Sec. 13. K.S.A. 2022 Supp. 74-32,273 is hereby amended to read as follows: 74-32,273. (a) In addition to the fields of study provided in K.S.A. 2022 Supp. 74-32,272, and amendments thereto, an eligible postsecondary educational institution may designate an additional field of study for awarding a Kansas promise scholarship to meet local employment needs if:

(1) Promise eligible programs within such field of study are two-year associate degree programs or career and technical education certificates or stand-alone programs approved by the state board of regents that correspond to jobs that are high wage, high demand or critical need in the community;

(2) the institution already offers such field of study; and

(3) such field of study is one of the following:

(A) Agriculture;

(B) food and natural resources;

(C) education and training;

(D) law, public safety, corrections and security; or

(E) transportation, distribution and logistics.

(b) An eligible postsecondary educational institution that designates an additional

promise eligible field of study pursuant to this section shall maintain the promise eligible field of study designation for at least three consecutive years. After maintaining such field of study for at least three years, the institution may designate a new promise eligible field of study that corresponds to a high wage, high demand or critical need occupation to replace the existing designated promise eligible field of study. Any newly designated field of study shall be subject to the requirements of this section.

(c) Programs designated by eligible institutions prior to the effective date of this act shall be maintained until all students currently enrolled in such programs have exhausted their promise scholarship eligibility.

Sec. 14. K.S.A. 2022 Supp. 74-32,274 is hereby amended to read as follows: 74-32,274. (a) ~~(+)~~ Subject to appropriations, the amount of a Kansas promise scholarship for a student for each academic year shall be determined as follows:

(1) For a student enrolled in a promise eligible program offered by an eligible public postsecondary educational institution described in K.S.A. 2022 Supp. 74-32,271(b)(1)(A) or (B), and amendments thereto, the scholarship amount 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 academic year.

(2) ~~For a student is enrolled in a promise eligible program offered by an eligible private postsecondary educational institution described in K.S.A. 2022 Supp. 74-32,271(b)(1)(C), and amendments thereto, the scholarship amount shall be the aggregate amount of tuition, mandatory required fees and the cost of books and materials for such program shall be 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 academic year, except that a scholarship awarded pursuant to this paragraph shall not exceed the average cost of tuition, mandatory required fees and the cost of books and required materials for such promise eligible program when offered by an eligible public postsecondary educational institution described in K.S.A. 2022 Supp. 74-32,271(b)(1)(A) or (B), and amendments thereto.~~

(b) Kansas promise scholarships shall only be awarded to an eligible student whose family household income equals \$100,000 or less for a family of one or 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.

(c) (1) Kansas promise scholarship awards shall be used only to pay for up to a total of 68 promise scholarship funded credit hours or a total of \$20,000 in Kansas promise scholarship awards, whichever occurs first, over the lifetime of the student who received the Kansas promise scholarship award regardless of the eligible postsecondary educational institution such student attended.

(2) Kansas promise scholarship awards shall not be used to fund:

(A) Prerequisite classes required for a promise eligible program unless such classes are a designated course within the eligible program; or

(B) any remedial course, as defined in K.S.A. 76-7,151, and amendments thereto, unless such course is offered in a corequisite format.

(d) For each fiscal year, the appropriation made for the Kansas promise scholarship program shall not exceed \$10,000,000.

(e) The state board of regents shall disburse funds based on reimbursement requests from eligible postsecondary educational institutions. Reimbursement requests shall be based on the actual amount of Kansas promise scholarship amounts awarded by an eligible postsecondary educational institution for the appropriate academic period. Any eligible postsecondary educational institution seeking reimbursement shall submit a reimbursement request to the state board of regents on or before September 1, December 1, March 1 and June 1 of each year. The state board of regents shall disburse the appropriate amount of funds to eligible postsecondary educational institutions on September 15, December 15, March 15 and June 15 each year.

(f) As used in this section, "aid" includes any grant, scholarship or financial assistance awards that do not require repayment. "Aid" does not include any military financial educational benefits or any family postsecondary savings account or other qualified tuition program established pursuant to section 529 of the internal revenue code of 1986, as amended.

Sec. 15. K.S.A. 2022 Supp. 74-32,275 is hereby amended to read as follows: 74-32,275. (a) To be eligible for a Kansas promise scholarship, a student shall:

- (1) Be a United States citizen;
- (2) be a Kansas resident;
- (3) (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) upon application for a scholarship, have been a resident of Kansas for three or more consecutive years as evidenced by the date of issuance on a Kansas-issued identification card or through Kansas voter registration records or Kansas income tax documentation;
- (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; or
- (F) have been in the custody of the secretary for children and families at any time such student was enrolled in and attending any of the grades nine through 12 and not eligible for assistance under the Kansas foster child educational assistance act, K.S.A. 75-53,111 et seq., and amendments thereto;
- (4) complete the required scholarship application on such forms and in such manner as established by the state board of regents;
- (5) enter into a Kansas promise scholarship agreement pursuant to K.S.A. 2022 Supp. 74-32,276, and amendments thereto;
- (6) complete the free application for federal student aid for the academic year in which the student applies to receive a Kansas promise scholarship. Such submitted application shall be determined to be valid and free of error codes in order to calculate the amount of scholarship to be awarded; and
- (7) enroll in an eligible postsecondary educational institution in a promise eligible program.

(b) (1) To continue to receive a Kansas promise scholarship, a student shall:

(A) Maintain satisfactory academic progress, including a grade point average of 2.0 or higher, or the equivalent thereof, in the courses of the promise eligible program for which the student received a Kansas promise scholarship; and

(B) satisfy the requirements of a Kansas promise scholarship agreement as provided in K.S.A. 2022 Supp. 74-32,276, and amendments thereto.

(2) Any student who entered into a Kansas promise scholarship agreement under the provisions of the Kansas promise scholarship act as such act existed at the time such agreement was entered into shall be entitled to continue to use such Kansas promise scholarship and receive scholarship renewals to fulfill the requirements of such student's Kansas promise scholarship agreement. No subsequent revision or amendment to the Kansas promise scholarship act, the rules and regulations adopted thereunder, the list of approved promise eligible programs or the appropriations made pursuant to such act shall have the effect of terminating a student's Kansas promise scholarship agreement solely due to such amendment or revision.

(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.

New Sec. 16. The provisions of the Kansas promise scholarship act, K.S.A. 74-32,271 through 74-32,277, and amendments thereto, shall expire on July 1, 2028.";

Also on page 2, in line 21, by striking "is" and inserting ", 74-32,272, 74-32,273, 74-32,274 and 74-32,275 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after the semicolon by inserting "enacting the Kansas adult learner grant act; establishing a grant program for adult learners to pursue certain fields of study; providing for workforce retention income tax credits; creating the Kansas adult learner grant program fund; enacting the career technical education credential and transition incentive for employment success act; requiring school districts to pay for the cost of assessments for students to obtain an approved career technical education credential;"; in line 4, after the semicolon by inserting "expanding the eligible fields of study under the Kansas promise scholarship act; establishing a maximum scholarship amount for certain private postsecondary educational institutions;"; in line 5, after "48-3601" by inserting ", 74-32,272, 74-32,273, 74-32,274 and 74-32,275"; also in line 5, by striking "section" and inserting "sections";

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

ADAM THOMAS

SUSAN ESTES

JERRY STOGSDILL

Conferees on part of House

MOLLY BAUMGARDNER

RENEE ERICKSON

DINAH SYKES

Conferees on part of Senate

Senator Baumgardner moved the Senate adopt the Conference Committee Report on **SB 123**.

On roll call, the vote was: Yeas 35; Nays 2; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Nays: Erickson, Steffen.

Absent or Not Voting: Blasi, McGinn, Shallenburger.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 217** 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 17, in line 35, by striking "five" and inserting "two"; in line 39, by striking "five" and inserting "three";

On page 19, in line 36, by striking "five" and inserting "two"; in line 39, by striking "five" and inserting "three";

On page 20, in line 37, by striking "Kansas register" and inserting "statute book";

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

STEPHEN OWENS

ERIC SMITH

BOOG HIGHBERGER

Conferees on part of House

KELLIE WARREN

RICK WILBORN

ETHAN CORSON

Conferees on part of Senate

Senator Warren moved the Senate adopt the Conference Committee Report on **SB 217**.

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Blasi, McGinn, Shallenburger.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House

amendments to **SB 228** 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, in line 40, before "The" by inserting "(a)"; in line 42, by striking "(a)" and inserting "(1)"

On page 3, in line 1, by striking "(b)" and inserting "(2)"; in line 2, by striking "the sexes" and inserting "each sex, female and male"; in line 4, by striking "(c)" and inserting "(3)"; following line 8, by inserting:

"(b) As used in this section, "sex" means an individual's biological sex, either male or female, at birth. A "female" is an individual whose biological reproductive system is developed to produce ova, and a "male" is an individual whose biological reproductive system is developed to fertilize the ova of a female.";

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

STEPHEN OWENS

ERIC SMITH

BOOG HIGHBERGER

Conferees on part of House

KELLIE WARREN

RICK WILBORN

Conferees on part of Senate

Senator Warren moved the Senate adopt the Conference Committee Report on **SB 228**.

On roll call, the vote was: Yeas 33; Nays 3; Present and Passing 1; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claey's, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Holland, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Holscher, Sykes, Ware.

Present and Passing: Francisco.

Absent or Not Voting: Blasi, McGinn, Shallenburger.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2264** 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 34;

By striking all on pages 2 and 3;

On page 4, by striking all in lines 1 through 34; following line 34 by inserting:

"New Section 1. (a) As used in this section:

(1) "Abortion" means the same as defined in K.S.A. 65-6701, and amendments

thereto.

(2) "Medication abortion" means the use or prescription of any drug for the purpose of inducing an abortion.

(3) "Medical emergency" means the same as defined in K.S.A. 65-6701, and amendments thereto.

(b) (1) Any private office, freestanding surgical outpatient clinic, hospital or other medical care facility or clinic or any pharmacy where mifepristone is prescribed, dispensed or administered for the purpose of inducing a medication abortion shall post a conspicuous sign that is clearly visible to patients and customers, that is printed with lettering that is legible and at least $\frac{3}{4}$ of an inch boldfaced type and that reads:

"NOTICE TO PATIENTS HAVING MEDICATION ABORTIONS THAT USE MIFEPRISTONE: Mifepristone, also known as RU-486 or mifeprex, alone is not always effective in ending a pregnancy. It may be possible to reverse its intended effect if the second pill or tablet has not been taken or administered. If you change your mind and wish to try to continue the pregnancy, you can get immediate help by accessing available resources."

The notice shall also include information about the department of health and environment website, required to be maintained under K.S.A. 65-6710, and amendments thereto, and other relevant telephone and internet resources containing information on where the patient can obtain timely assistance to attempt to reverse the medication abortion.

(2) (A) Any private office or freestanding surgical outpatient clinic where mifepristone is prescribed, dispensed or administered for the purpose of inducing a medication abortion shall post the sign required by paragraph (1) in each patient waiting room and patient consultation room used by patients seeking medication abortions.

(B) A hospital or other medical care facility or clinic where mifepristone is prescribed, dispensed or administered for the purpose of inducing a medication abortion that is not a private office or freestanding surgical outpatient clinic shall post the sign required by paragraph (1) in each patient admission area used by patients seeking medication abortions that use mifepristone.

(C) A pharmacy where mifepristone is prescribed, dispensed or administered for the purpose of inducing a medication abortion shall post the sign required by paragraph (1) in the area inside the premises where customers are provided prescription medications and on the exterior of the premises in the area where customers are provided prescription medications via a drive-through window.

(c) (1) Except in the case of a medical emergency, no physician shall provide, induce or attempt to provide or induce a medication abortion that use mifepristone without informing the woman, in writing, in the manner prescribed by K.S.A. 65-6709, and amendments thereto, and also either by telephone or in person, at least 24 hours prior to the medication abortion:

(A) That it may be possible to reverse the intended effects of a medication abortion that uses mifepristone, if the woman changes her mind, but that time is of the essence; and

(B) information on reversing the effects of a medication abortion that uses mifepristone is available on the department of health and environment's website, required to be maintained under K.S.A. 65-6710, and amendments thereto, and other relevant telephone and internet resources containing information on where the patient

can obtain timely assistance to attempt to reverse the medication abortion.

(2) After a physician dispenses or provides an initial administration of mifepristone to a patient for the purposes of performing a medication abortion, the physician or an agent of the physician shall provide a legible, written notice to the patient that includes the same information as required under subsection (b)(1).

(d) When a medical emergency compels the performance of a medication abortion that uses mifepristone, the physician shall inform the woman, prior to the medication abortion, if possible, of the medical indications supporting the physician's judgment that an abortion is necessary to avert the woman's death or that a 24-hour delay would create serious risk of substantial and irreversible impairment of a major bodily function, excluding psychological or emotional conditions.

(e) Within 90 days after the effective date of this section, the department of health and environment shall cause to be published, in English and in each language that is the primary language of 2% or more of the state's population, in print and on the website required to be maintained under K.S.A. 65-6710, and amendments thereto, comprehensible materials designed to inform women of the possibility of reversing the effects of a medication abortion that uses mifepristone and information on resources available to reverse the effects of a medication abortion that uses mifepristone. The website shall also include other relevant telephone and internet resources containing information on where the patient can obtain timely assistance to attempt to reverse the medication abortion.

(f) Upon a first conviction of a violation of this section, a person shall be guilty of a class A person misdemeanor. Upon a second or subsequent conviction of a violation of this section, a person shall be guilty of a severity level 10, person felony.

(g) The department of health and environment shall assess a fine of \$10,000 to any private office, freestanding surgical outpatient clinic, hospital or other clinic or facility that fails to post a sign required by subsection (b). Each day that a medication abortion that uses mifepristone, other than a medication abortion that is necessary to prevent the death of the pregnant woman, is performed in any private office, freestanding surgical outpatient clinic, hospital or other facility or clinic when the required sign is not posted during a portion of that day's business hours when patients or prospective patients are present shall be a separate violation. The department of health and environment shall remit all moneys received from fines under this subsection 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 into the state treasury to the credit of the state general fund.

(h) (1) If a physician provides a medication abortion using mifepristone in violation of this section, the following individuals may bring a civil action in a court of competent jurisdiction against the physician for actual damages, exemplary and punitive damages and any other appropriate relief:

- (A) A woman to whom such medication abortion has been provided;
- (B) the father of the unborn child who was subject to such medication abortion; or
- (C) any grandparent of the unborn child who was subject to such medication abortion, if the woman was not 18 years of age or older at the time the medication abortion was performed or if the woman died as a result of the medication abortion.

(2) Notwithstanding any other provision of law, any action commenced in accordance with this subsection shall be filed within two years after the later of:

- (A) The date of the discovery of the violation under this section; or
 - (B) the conclusion of a related criminal case.
- (3) In any action brought under this section, the court shall award reasonable attorney fees and costs to:
- (A) A prevailing plaintiff; or
 - (B) a prevailing defendant upon a finding that the action was frivolous and brought in bad faith.
- (4) Except for the woman to whom the medication abortion was provided, no action may be brought by any person whose criminal conduct resulted in the pregnancy, and any such person shall not be awarded any damages in any action brought pursuant to this section.
- (i) In any civil or criminal proceeding or action brought under this section, the court shall rule whether the anonymity of any woman to whom a medication abortion has been provided, induced or attempted to be provided or induced shall be preserved from public disclosure, if she does not give her consent to such disclosure. The court, upon motion or sua sponte, shall make such a ruling and, upon determining that the woman's anonymity should be preserved, shall issue orders to the parties, witnesses and counsel and shall direct the sealing of the record and exclusion of individuals from courtrooms or hearing rooms to the extent necessary to safeguard the woman's identity from public disclosure. Each such order shall be accompanied by specific written findings explaining why the anonymity of the woman should be preserved from public disclosure, why the order is essential to that end, how the order is narrowly tailored to serve that interest and why no reasonable less restrictive alternative exists. In the absence of written consent of the woman to whom a medication abortion has been provided, induced or attempted to be provided or induced, any person, other than a public official, who brings an action under this section shall do so under a pseudonym. This subsection shall not be construed to conceal the identity of the plaintiff or witnesses from the defendant.
- (j) If any provision of this section, or any application thereof to any person or circumstance, is held invalid by court order, then such invalidity shall not affect the remainder of this section and any application thereof to any person or circumstance that can be given effect without such invalid provision or application, and to this end, the provisions of this section are declared to be severable.
- (k) The provisions of this section shall be a part of and supplemental to the woman's-right-to-know act.
- Sec. 2. K.S.A. 40-2,190 is hereby amended to read as follows: 40-2,190. (a) Any individual or group health insurance policy, medical service plan, contract, hospital service corporation contract, hospital and medical service corporation contract, fraternal benefit society or health maintenance organization, municipal group-funded pool and the state employee health care benefits plan which is delivered, issued for delivery, amended or renewed on or after July 1, 2011, shall exclude coverage for elective abortions, unless the procedure is necessary to preserve the life of the mother. Coverage for abortions may be obtained through an optional rider for which an additional premium is paid. The premium for the optional rider shall be calculated so that it fully covers the estimated cost of covering elective abortions per enrollee as determined on an average actuarial basis.
- (b) No health insurance exchange established within this state or any health

insurance exchange administered by the federal government or its agencies within this state shall offer health insurance contracts, plans, or policies that provide coverage for elective abortions, nor shall any health insurance exchange operating within this state offer coverage for elective abortions through the purchase of an optional rider.

(c) For the purposes of this section:

(1) ~~"Abortion" means the use or prescription of any instrument, medicine, drug or any other substance or device to terminate the pregnancy of a woman known to be pregnant with an intention other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead unborn child who died as the result of natural causes in utero, accidental trauma or a criminal assault on the pregnant woman or her unborn child and which causes the premature termination of the pregnancy same as defined in K.S.A. 65-6701, and amendments thereto.~~

(2) "Elective" means an abortion for any reason other than to prevent the death of the mother upon whom the abortion is performed; ~~provided, except~~ that an abortion may not be deemed one to prevent the death of the mother based on a claim or diagnosis that ~~she~~ such mother will engage in conduct ~~which that~~ will result in ~~her~~ such mother's death.

~~(d) The provisions of this section shall be effective from and after July 1, 2011.~~

Sec. 3. K.S.A. 65-4a01 is hereby amended to read as follows: 65-4a01. As used in K.S.A. 65-4a01 through 65-4a12, and amendments thereto:

(a) ~~"Abortion" means the use or prescription of any instrument, medicine, drug or any other substance or device to terminate the pregnancy of a woman known to be pregnant with an intention other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead unborn child who died as the result of natural causes in utero, accidental trauma or a criminal assault on the pregnant woman or her unborn child, and which causes the premature termination of the pregnancy same as defined in K.S.A. 65-6701, and amendments thereto.~~

(b) "Ambulatory surgical center" means an ambulatory surgical center as defined in K.S.A. 65-425, and amendments thereto.

(c) "Bodily function" means physical functions only. The term "bodily function" does not include mental or emotional functions.

(d) "Clinic" means any facility, other than a hospital or ambulatory surgical center, in which any second or third trimester; or five or more first trimester abortions are performed in a month.

(e) "Department" means the department of health and environment.

(f) "Elective abortion" means an abortion for any reason other than to prevent the death of the mother upon whom the abortion is performed; ~~provided, except~~ that an abortion may not be deemed one to prevent the death of the mother based on a claim or diagnosis that ~~she~~ such mother will engage in conduct ~~which that~~ would result in ~~her~~ such mother's death.

(g) "Facility" means any clinic, hospital or ambulatory surgical center; in which any second or third trimester elective abortion; or five or more first trimester elective abortions are performed in a month, excluding any abortion performed due to a medical emergency.

(h) ~~"Gestational age" has the same meaning ascribed thereto~~ means the same as defined in K.S.A. 65-6701, and amendments thereto, and shall be determined pursuant

to K.S.A. 65-6703, and amendments thereto.

(i) "Hospital" means a hospital as defined in ~~subsection (a) or (b) of K.S.A. 65-425(a) or (b),~~ and amendments thereto.

~~(j) "Medical emergency" means a condition that, in a reasonable medical judgment, so complicates the medical condition of the pregnant woman as to necessitate the immediate abortion of her pregnancy to avert her death, or for which a delay necessary to comply with the applicable statutory requirements will create serious risk of substantial and irreversible physical impairment of a major bodily function. No condition shall be deemed a medical emergency if based on a claim or diagnosis that the woman will engage in conduct which would result in her death or in substantial and irreversible physical impairment of a major bodily function the same as defined in K.S.A. 65-6701, and amendments thereto.~~

~~(k) "Physician" has the same meaning ascribed thereto~~ means the same as defined in K.S.A. 65-6701, and amendments thereto.

(l) "Secretary" means the secretary of the department of health and environment.

Sec. 4. K.S.A. 65-6701 is hereby amended to read as follows: 65-6701. As used in K.S.A. 65-6701 through 65-6721, and amendments thereto:

~~(a)(1) "Abortion" means the use or prescription of any instrument, medicine, drug or any other substance or device means to terminate the pregnancy of a woman known to be pregnant with an intention other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead unborn child who died as the result of natural causes in utero, accidental trauma or a criminal assault on the pregnant woman or her unborn child, and which causes the premature termination of the pregnancy knowing that such termination will, with reasonable likelihood, result in the death of the unborn child.~~

~~(2) Such use or prescription is not an "abortion" if done with the intent to:~~

~~(A) Preserve the life or health of the unborn child;~~

~~(B) increase the probability of a live birth;~~

~~(C) remove a dead unborn child who died as the result of natural causes in utero, accidental trauma or a criminal assault on the pregnant woman or the unborn child; or~~

~~(D) remove an ectopic pregnancy.~~

~~(3) "Abortion" does not include the prescription, dispensing, administration, sale or use of any method of contraception.~~

(b) "Bodily function" means physical functions only. The term "bodily function" does not include mental or emotional functions.

(c) "Counselor" means a person who is: (1) Licensed to practice medicine and surgery; (2) licensed to practice professional or practical nursing; (3) the following persons licensed to practice behavioral sciences: Licensed psychologists, licensed master's level psychologists, licensed clinical psychotherapists, licensed social workers, licensed specialist clinical social workers, licensed marriage and family therapists, licensed clinical marriage and family therapists, licensed professional counselors, licensed clinical professional counselors; (4) a licensed physician assistant; or (5) a currently ordained member of the clergy or religious authority of any religious denomination or society. Counselor does not include the physician who performs or induces the abortion or a physician or other person who assists in performing or inducing the abortion.

(d) "Department" means the department of health and environment.

(e) "Fertilization" means the fusion of a human spermatozoon with a human ovum.
 (f) "Gestational age" means the time that has elapsed since the first day of the woman's last menstrual period.

(g) "Medical emergency" means a condition that, in reasonable medical judgment, so complicates the medical condition of the pregnant woman as to necessitate the immediate abortion of ~~her~~ such woman's pregnancy to avert the death of the woman or for which a delay necessary to comply with the applicable statutory requirements will create serious risk of substantial and irreversible physical impairment of a major bodily function. No condition shall be deemed a medical emergency if based on a claim or diagnosis that ~~the~~ such woman will engage in conduct ~~which that~~ would result in ~~her~~ such woman's death or in substantial and irreversible physical impairment of a major bodily function.

(h) "Minor" means a person less than 18 years of age.

(i) "Physician" means a person licensed to practice medicine and surgery in this state.

(j) "Pregnant" or "pregnancy" means that female reproductive condition of having an unborn child in the mother's body.

(k) "Qualified person" means an agent of the physician who is a psychologist, licensed social worker, licensed professional counselor, licensed marriage and family therapist, licensed master's level psychologist, licensed clinical psychotherapist, registered nurse or physician.

(l) "Unemancipated minor" means any minor who has never been: (1) Married; or (2) freed, by court order or otherwise, from the care, custody and control of the minor's parents.

(m) "Viable" means that stage of fetal development when it is the physician's judgment according to accepted obstetrical or neonatal standards of care and practice applied by physicians in the same or similar circumstances that there is a reasonable probability that the life of the child can be continued indefinitely outside the mother's womb with natural or artificial life-supportive measures.

Sec. 5. K.S.A. 65-6708 is hereby amended to read as follows: 65-6708. K.S.A. 65-6701 and K.S.A. 65-6708 ~~to through~~ 65-6715, ~~inclusive~~, and amendments thereto, and section 1, and amendments thereto, shall be known and may be cited as the woman's-right-to-know act.

Sec. 6. K.S.A. 65-6723 is hereby amended to read as follows: 65-6723. As used in K.S.A. 65-6722 through 65-6724, and amendments thereto:

(a) ~~"Abortion" means the use or prescription of any instrument, medicine, drug or any other substance or device to terminate the pregnancy of a woman known to be pregnant with an intention other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead unborn child who died as the result of natural causes in utero, accidental trauma or a criminal assault on the pregnant woman or her unborn child, and which causes the premature termination of the pregnancy same as defined in K.S.A. 65-6701, and amendments thereto.~~

(b) "Bodily function" means physical function. The term "bodily function" does not include mental or emotional functions.

(c) "Department" means the department of health and environment.

(d) "Gestational age" means the time that has elapsed since the first day of the

woman's last menstrual period.

~~(c) "Medical emergency" means a condition that, in reasonable medical judgment, so complicates the medical condition of the pregnant woman as to necessitate the immediate abortion of her pregnancy to avert her death or for which a delay necessary to comply with the applicable statutory requirements will create serious risk of substantial and irreversible physical impairment of a major bodily function. No condition shall be deemed a medical emergency if based on a claim or diagnosis that the woman will engage in conduct which would result in her death or in substantial and irreversible physical impairment of a major bodily function the same as defined in K.S.A. 65-6701, and amendments thereto.~~

(f) "Pain-capable unborn child" means an unborn child having reached the gestational age of 22 weeks or more.

(g) "Physician" means a person licensed to practice medicine and surgery in this state.

(h) "Pregnant" or "pregnancy" means that female reproductive condition of having an unborn child in the mother's body.

Sec. 7. K.S.A. 65-6742 is hereby amended to read as follows: 65-6742. As used in K.S.A. 65-6741 through 65-6749, and amendments thereto:

~~(a) "Abortion" means the use or prescription of any instrument, medicine, drug or any other substance or device to terminate the pregnancy of a woman known to be pregnant with an intention other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead unborn child who died as the result of natural causes in utero, accidental trauma or a criminal assault on the pregnant woman or her unborn child, and which causes the premature termination of the pregnancy same as defined in K.S.A. 65-6701, and amendments thereto.~~

(b)(1) "Dismemberment abortion" means, with the purpose of causing the death of an unborn child, knowingly dismembering a living unborn child and extracting such unborn child one piece at a time from the uterus through the use of clamps, grasping forceps, tongs, scissors or similar instruments that, through the convergence of two rigid levers, slice, crush or grasp a portion of the unborn child's body in order to cut or rip it off.

(2) The term "dismemberment abortion" does not include an abortion ~~which that~~ uses suction to dismember the body of the unborn child by sucking fetal parts into a collection container, ~~although it does include.~~ "Dismemberment abortion" includes an abortion in which a dismemberment abortion, as defined in ~~subsection (b)(1) paragraph (1),~~ is used to cause the death of an unborn child, but suction is subsequently used to extract fetal parts after the death of the unborn child.

~~(c) "Knowingly" shall have the same meaning attributed to such term means the same as defined in K.S.A. 2022 Supp. 21-5202, and amendments thereto.~~

~~(d) "Medical emergency" means a condition that, in reasonable medical judgment, so complicates the medical condition of the pregnant woman as to necessitate the immediate abortion of her pregnancy to avert the death of the woman or for which a delay necessary to comply with the applicable statutory requirements will create serious risk of substantial and irreversible physical impairment of a major bodily function. No condition shall be deemed a medical emergency if based on a claim or diagnosis that the woman will engage in conduct which would result in her death or in substantial and~~

~~irreversible physical impairment of a major bodily function the same as defined in K.S.A. 65-6701, and amendments thereto.~~

Sec. 8. K.S.A. 40-2,190, 65-4a01, 65-6701, 65-6708, 65-6723 and 65-6742 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking all after the semicolon; by striking all in lines 2 through 5; in line 6, by striking "rights" and inserting "relating to abortion; requiring certain notifications that a medication abortion may be reversed; excluding certain procedures from the definition of abortion; amending K.S.A. 40-2,190, 65-4a01, 65-6701, 65-6708, 65-6723 and 65-6742 and repealing the existing sections";

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

BEVERLY GOSSAGE

RENEE ERICKSON

PAT PETTEY

Conferees on part of Senate

BRENDA LANDWEHR

JOHN EPLEE

SUSAN RUIZ

Conferees on part of House

Senator Gossage moved the Senate adopt the Conference Committee Report on **HB 2264**.

On roll call, the vote was: Yeas 26; Nays 11; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Absent or Not Voting: Blasi, McGinn, Shallenburger.

The Conference Committee Report was adopted.

On motion of Senator Alley, the Senate recessed until the sound of the gavel.

The Senate met pursuant to recess with President Masterson in the chair.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **H Sub SB 83**.

The House adopts the Conference Committee report on **H Sub SB 169**.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate

amendments to **HB 2021** submits the following report:

The Senate recedes from all of its 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, in line 11, by striking all after the second comma; in line 12, by striking all before "the"; also in line 12, by striking all after "shall"; by striking all in lines 13 and 14 and inserting "identify an evidence-based risk and needs assessment to administer"; in line 16, by striking "offending behavior" and inserting "juvenile offender charges related to physical violence, aggression, damage to property or use of life-threatening drugs"; in line 18, by striking all after "The"; in line 19, by striking "allowing" and inserting "secretary for children and families shall administer the assessment described in subsection (a) and shall collaborate with the secretary of corrections to allow"; in line 22, by striking all after "(c)"; by striking all in lines 23 and 24; in line 25, by striking all before the period and inserting "The results of an assessment administered pursuant to this section shall be considered a part of the official file described in K.S.A. 38-2209, and amendments thereto, and shall not be admitted into evidence during the course of a proceeding under the revised Kansas juvenile justice code.

(d) On or before January 1, 2024, the secretary for children and families shall report on the implementation of this section and provide the assessment identified in subsection (a) to the joint committee on corrections and juvenile justice oversight";

Also on page 1, following line 25, by inserting:

"New Sec. 2. (a) The secretary of corrections shall ensure that, when a juvenile is placed in detention, the juvenile shall:

(1) Receive a standardized risk and needs assessment within 72 hours or, if a standardized risk and needs assessment has been conducted on the juvenile, have the appropriate updates made to such assessment within 72 hours;

(2) receive an updated or completed case plan within 48 hours after the standardized risk and needs assessment has been conducted or updated; and

(3) have access to behavioral health services, mental health services and substance use treatment disorder services while in detention.

(b) The secretary of corrections shall coordinate with court services, community corrections and juvenile detention centers to provide the services required by this section in a timely manner. If the juvenile is in the custody of the secretary for children and families, the secretary of corrections shall coordinate with the secretary for children and families when providing such services. The cost of the assessments conducted or the services provided pursuant to subsection (a) may be assessed to the department of corrections.

(c) The secretary of corrections shall collect data related to the assessments conducted and the services provided pursuant to this section and shall report findings to the joint committee on corrections and juvenile justice on or before July 1 of each year.

Sec. 3. K.S.A. 38-2202 is hereby amended to read as follows: 38-2202. As used in the revised Kansas code for care of children, unless the context otherwise indicates:

(a) "Abandon" or "abandonment" means to forsake, desert or, without making appropriate provision for substitute care, cease providing care for the child.

(b) "Adult correction facility" means any public or private facility, secure or nonsecure, that is used for the lawful custody of accused or convicted adult criminal

offenders.

(c) "Aggravated circumstances" means the abandonment, torture, chronic abuse, sexual abuse or chronic, life threatening neglect of a child.

(d) "Child in need of care" means a person less than 18 years of age at the time of filing of the petition or issuance of an ex parte protective custody order pursuant to K.S.A. 38-2242, and amendments thereto, who:

(1) Is without adequate parental care, control or subsistence and the condition is not due solely to the lack of financial means of the child's parents or other custodian;

(2) is without the care or control necessary for the child's physical, mental or emotional health;

(3) has been physically, mentally or emotionally abused or neglected or sexually abused;

(4) has been placed for care or adoption in violation of law;

(5) has been abandoned or does not have a known living parent;

(6) is not attending school as required by K.S.A. 72-3421 or 72-3120, and amendments thereto;

(7) except in the case of a violation of K.S.A. 41-727, K.S.A. 74-8810(j), K.S.A. 79-3321(m) or (n), or K.S.A. 2022 Supp. 21-6301(a)(14), and amendments thereto, or, except as provided in paragraph (12), does an act which, when committed by a person under 18 years of age, is prohibited by state law, city ordinance or county resolution, but which is not prohibited when done by an adult;

(8) while less than 10 years of age, commits any act that if done by an adult would constitute the commission of a felony or misdemeanor as defined by K.S.A. 2022 Supp. 21-5102, and amendments thereto;

(9) is willfully and voluntarily absent from the child's home without the consent of the child's parent or other custodian;

(10) is willfully and voluntarily absent at least a second time from a court ordered or designated placement, or a placement pursuant to court order, if the absence is without the consent of the person with whom the child is placed or, if the child is placed in a facility, without the consent of the person in charge of such facility or such person's designee;

(11) has been residing in the same residence with a sibling or another person under 18 years of age, who has been physically, mentally or emotionally abused or neglected, or sexually abused;

(12) while less than 10 years of age commits the offense defined in K.S.A. 2022 Supp. 21-6301(a)(14), and amendments thereto;

(13) has had a permanent custodian appointed and the permanent custodian is no longer able or willing to serve; or

(14) has been subjected to an act that would constitute human trafficking or aggravated human trafficking, as defined by K.S.A. 2022 Supp. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, as defined by K.S.A. 2022 Supp. 21-6422, and amendments thereto, or has committed an act which, if committed by an adult, would constitute selling sexual relations, as defined by K.S.A. 2022 Supp. 21-6419, and amendments thereto.

(e) "Citizen review board" is a group of community volunteers appointed by the court and whose duties are prescribed by K.S.A. 38-2207 and 38-2208, and amendments thereto.

(f) "Civil custody case" includes any case filed under chapter 23 of the Kansas Statutes Annotated, and amendments thereto, the Kansas family law code, article 11 of chapter 38 of the Kansas Statutes Annotated, and amendments thereto, determination of parentage, article 21 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, adoption and relinquishment act, or article 30 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, guardians and conservators.

(g) "Court-appointed special advocate" means a responsible adult other than an attorney guardian ad litem who is appointed by the court to represent the best interests of a child, as provided in K.S.A. 38-2206, and amendments thereto, in a proceeding pursuant to this code.

(h) "Custody" whether temporary, protective or legal, means the status created by court order or statute that vests in a custodian, whether an individual or an agency, the right to physical possession of the child and the right to determine placement of the child, subject to restrictions placed by the court.

(i) "Extended out of home placement" means a child has been in the custody of the secretary and placed with neither parent for 15 of the most recent 22 months beginning 60 days after the date at which a child in the custody of the secretary was removed from the child's home.

(j) "Educational institution" means all schools at the elementary and secondary levels.

(k) "Educator" means any administrator, teacher or other professional or paraprofessional employee of an educational institution who has exposure to a pupil specified in K.S.A. 72-6143(a), and amendments thereto.

(l) "Harm" means physical or psychological injury or damage.

(m) "Interested party" means the grandparent of the child, a person with whom the child has been living for a significant period of time when the child in need of care petition is filed, and any person made an interested party by the court pursuant to K.S.A. 38-2241, and amendments thereto, or Indian tribe seeking to intervene that is not a party.

(n) "Jail" means:

(1) An adult jail or lockup; or

(2) a facility in the same building or on the same grounds as an adult jail or lockup, unless the facility meets all applicable standards and licensure requirements under law and there is: (A) Total separation of the juvenile and adult facility spatial areas such that there could be no haphazard or accidental contact between juvenile and adult residents in the respective facilities; (B) total separation in all juvenile and adult program activities within the facilities, including recreation, education, counseling, health care, dining, sleeping and general living activities; and (C) separate juvenile and adult staff, including management, security staff and direct care staff such as recreational, educational and counseling.

(o) "Juvenile detention facility" means any secure public or private facility used for the lawful custody of accused or adjudicated juvenile offenders that must not be a jail.

(p) "Juvenile intake and assessment worker" means a responsible adult authorized to perform intake and assessment services as part of the intake and assessment system established pursuant to K.S.A. 75-7023, and amendments thereto.

(q) "Kinship care placement" means the placement of a child in the home of an adult with whom the child or the child's parent already has close emotional ties.

(r) "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 crimes, whether that duty extends to all crimes or is limited to specific crimes.

(s) "Multidisciplinary team" means a group of persons, appointed by the court under K.S.A. 38-2228, and amendments thereto, that has knowledge of the circumstances of a child in need of care.

(t) "Neglect" means acts or omissions by a parent, guardian or person responsible for the care of a child resulting in harm to a child, or presenting a likelihood of harm, and the acts or omissions are not due solely to the lack of financial means of the child's parents or other custodian. Neglect may include, but shall not be limited to:

(1) Failure to provide the child with food, clothing or shelter necessary to sustain the life or health of the child;

(2) failure to provide adequate supervision of a child or to remove a child from a situation that requires judgment or actions beyond the child's level of maturity, physical condition or mental abilities and that results in bodily injury or a likelihood of harm to the child; or

(3) failure to use resources available to treat a diagnosed medical condition if such treatment will make a child substantially more comfortable, reduce pain and suffering, or correct or substantially diminish a crippling condition from worsening. A parent legitimately practicing religious beliefs who does not provide specified medical treatment for a child because of religious beliefs shall, not for that reason, be considered a negligent parent; however, this exception shall not preclude a court from entering an order pursuant to K.S.A. 38-2217(a)(2), and amendments thereto.

(u) "Parent" when used in relation to a child or children, includes a guardian and every person who is by law liable to maintain, care for or support the child.

(v) "Party" means the state, the petitioner, the child, any parent of the child and an Indian child's tribe intervening pursuant to the Indian child welfare act.

(w) "Permanency goal" means the outcome of the permanency planning process, which may be reintegration, adoption, appointment of a permanent custodian or another planned permanent living arrangement.

(x) "Permanent custodian" means a judicially approved permanent guardian of a child pursuant to K.S.A. 38-2272, and amendments thereto.

(y) "Physical, mental or emotional abuse" means the infliction of physical, mental or emotional harm or the causing of a deterioration of a child and may include, but shall not be limited to, maltreatment or exploiting a child to the extent that the child's health or emotional well-being is endangered.

(z) "Placement" means the designation by the individual or agency having custody of where and with whom the child will live.

(aa) "Qualified residential treatment program" means a program designated by the secretary for children and families as a qualified residential treatment program pursuant to federal law.

(bb) "Reasonable and prudent parenting standard" means the standard characterized by careful and sensible parental decisions that maintain the health, safety and best interests of a child while at the same time encouraging the emotional and developmental growth of the child, that a caregiver shall use when determining whether to allow a child in foster care under the responsibility of the state to participate in extracurricular, enrichment, cultural and social activities.

(cc) "Relative" means a person related by blood, marriage or adoption.

(dd) "Runaway" means a child who is willfully and voluntarily absent from the child's home without the consent of the child's parent or other custodian.

(ee) "Secretary" means the secretary for children and families or the secretary's designee.

(ff) "Secure facility" means a facility, other than a staff secure facility or juvenile detention facility, that is operated or structured so as to ensure that all entrances and exits from the facility are under the exclusive control of the staff of the facility, whether or not the person being detained has freedom of movement within the perimeters of the facility, or that relies on locked rooms and buildings, fences or physical restraint in order to control behavior of its residents. No secure facility shall be in a city or county jail.

(gg) "Sexual abuse" means any contact or interaction with a child in which the child is being used for the sexual stimulation of the perpetrator, the child or another person. Sexual abuse shall include, but is not limited to, allowing, permitting or encouraging a child to:

(1) Be photographed, filmed or depicted in pornographic material; or

(2) be subjected to aggravated human trafficking, as defined in K.S.A. 2022 Supp. 21-5426(b), and amendments thereto, if committed in whole or in part for the purpose of the sexual gratification of the offender or another, or be subjected to an act that would constitute conduct proscribed by article 55 of chapter 21 of the Kansas Statutes Annotated or K.S.A. 2022 Supp. 21-6419 or 21-6422, and amendments thereto.

(hh) "Shelter facility" means any public or private facility or home, other than a juvenile detention facility or staff secure facility, that may be used in accordance with this code for the purpose of providing either temporary placement for children in need of care prior to the issuance of a dispositional order or longer term care under a dispositional order.

(ii) "Staff secure facility" means a facility described in K.S.A. 65-535, and amendments thereto: (1) That does not include construction features designed to physically restrict the movements and activities of juvenile residents who are placed therein; (2) that may establish reasonable rules restricting entrance to and egress from the facility; and (3) in which the movements and activities of individual juvenile residents may, for treatment purposes, be restricted or subject to control through the use of intensive staff supervision. No staff secure facility shall be in a city or county jail.

(jj) "Transition plan" means, when used in relation to a youth in the custody of the secretary, an individualized strategy for the provision of medical, mental health, education, employment and housing supports as needed for the adult and, if applicable, for any minor child of the adult, to live independently and specifically provides for the supports and any services for which an adult with a disability is eligible including, but not limited to, funding for home and community based services waivers.

(kk) "Youth residential facility" means any home, foster home or structure that provides 24-hour-a-day care for children and that is licensed pursuant to article 5 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

(ll) "Behavioral health crisis" means behavioral and conduct issues that impact the safety or health of a child, members of the child's household or family or members of the community, including, but not limited to, non-life threatening mental health and substance abuse concerns.";

On page 3, following line 8, by inserting:

"Sec. 5. K.S.A. 38-2231 is hereby amended to read as follows: 38-2231. (a) A law enforcement officer or court services officer shall take a child under 18 years of age into custody when:

(1) The law enforcement officer or court services officer has a court order commanding that the child be taken into custody as a child in need of care; or

(2) the law enforcement officer or court services officer has probable cause to believe that a court order commanding that the child be taken into custody as a child in need of care has been issued in this state or in another jurisdiction.

(b) A law enforcement officer shall take a child under 18 years of age into custody when the officer:

(1) Reasonably believes the child will be harmed if not immediately removed from the place or residence where the child has been found;

(2) has probable cause to believe that the child is a runaway or a missing person or a verified missing person entry for the child can be found in the national crime information center missing person system;

(3) reasonably believes the child is a victim of human trafficking, aggravated human trafficking or commercial sexual exploitation of a child; or

(4) reasonably believes the child is experiencing a ~~mental~~ behavioral health crisis and is likely to cause harm to self or others.

(c) (1) If a person provides shelter to a child whom the person knows is a runaway, such person shall promptly report the child's location either to a law enforcement agency or to the child's parent or other custodian.

(2) If a person reports a runaway's location to a law enforcement agency pursuant to this section and a law enforcement officer of the agency has reasonable grounds to believe that it is in the child's best interests, the child may be allowed to remain in the place where shelter is being provided, subject to subsection (b), in the absence of a court order to the contrary. If the child is allowed to so remain, the law enforcement agency shall promptly notify the secretary of the child's location and circumstances.

(d) Except as provided in subsections (a) and (b), a law enforcement officer may temporarily detain and assume temporary custody of any child subject to compulsory school attendance, pursuant to K.S.A. 72-3120, and amendments thereto, during the hours school is actually in session and shall deliver the child pursuant to K.S.A. 38-2232(g), and amendments thereto.

Sec. 6. K.S.A. 38-2243 is hereby amended to read as follows: 38-2243. (a) Upon notice and hearing, the court may issue an order directing who shall have temporary custody and may modify the order during the pendency of the proceedings as will best serve the child's welfare.

(b) A hearing pursuant to this section shall be held within 72 hours, excluding Saturdays, Sundays, legal holidays, and days on which the office of the clerk of the court is not accessible, following a child having been taken into protective custody.

(c) Whenever it is determined that a temporary custody hearing is required, the court shall immediately set the time and place for the hearing. Notice of a temporary custody hearing shall be given to all parties and interested parties.

(d) Notice of the temporary custody hearing shall be given at least 24 hours prior to the hearing. The court may continue the hearing to afford the 24 hours prior notice or, with the consent of the party or interested party, proceed with the hearing at the

designated time. If an order of temporary custody is entered and the parent or other person having custody of the child has not been notified of the hearing, did not appear or waive appearance and requests a rehearing, the court shall rehear the matter without unnecessary delay.

(e) Oral notice may be used for giving notice of a temporary custody hearing where there is insufficient time to give written notice. Oral notice is completed upon filing a certificate of oral notice.

(f) The court may enter an order of temporary custody after determining there is probable cause to believe that the: (1) Child is dangerous to self or to others; (2) child is not likely to be available within the jurisdiction of the court for future proceedings; (3) health or welfare of the child may be endangered without further care; (4) child has been subjected to human trafficking or aggravated human trafficking, as defined by K.S.A. 2022 Supp. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, as defined by K.S.A. 2022 Supp. 21-6422, and amendments thereto; (5) child is experiencing a ~~mental~~ behavioral health crisis and is in need of treatment; or (6) child committed an act which, if committed by an adult, would constitute a violation of K.S.A. 2022 Supp. 21-6419, and amendments thereto.

(g) (1) Whenever the court determines the necessity for an order of temporary custody the court may place the child in the temporary custody of:

(A) A parent or other person having custody of the child and may enter a restraining order pursuant to subsection (h);

(B) a person, other than the parent or other person having custody, who shall not be required to be licensed under article 5 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto;

(C) a youth residential facility;

(D) a shelter facility;

(E) a staff secure facility, notwithstanding any other provision of law, if the child has been subjected to human trafficking or aggravated human trafficking, as defined by K.S.A. 2022 Supp. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, as defined by K.S.A. 2022 Supp. 21-6422, and amendments thereto, or the child committed an act which, if committed by an adult, would constitute a violation of K.S.A. 2022 Supp. 21-6419, and amendments thereto;

(F) after written authorization by a community mental health center, a juvenile crisis intervention center, as described in K.S.A. 65-536, and amendments thereto; or

(G) the secretary, if the child is 15 years of age or younger, or 16 or 17 years of age if the child has no identifiable parental or family resources or shows signs of physical, mental, emotional or sexual abuse.

(2) If the secretary presents the court with a plan to provide services to a child or family which the court finds will assure the safety of the child, the court may only place the child in the temporary custody of the secretary until the court finds the services are in place. The court shall have the authority to require any person or entity agreeing to participate in the plan to perform as set out in the plan. When the child is placed in the temporary custody of the secretary, the secretary shall have the discretionary authority to place the child with a parent or to make other suitable placement for the child. When the child is placed in the temporary custody of the secretary and the child has been subjected to human trafficking or aggravated human trafficking, as defined by K.S.A. 2022 Supp. 21-5426, and amendments thereto, or commercial sexual exploitation of a

child, as defined by K.S.A. 2022 Supp. 21-6422, and amendments thereto, or the child committed an act which, if committed by an adult, would constitute a violation of K.S.A. 2022 Supp. 21-6419, and amendments thereto, the secretary shall have the discretionary authority to place the child in a staff secure facility, notwithstanding any other provision of law. When the child is presently alleged, but not yet adjudicated to be a child in need of care solely pursuant to K.S.A. 38-2202(d)(9) or (d)(10), and amendments thereto, the child may be placed in a secure facility, but the total amount of time that the child may be held in such facility under this section and K.S.A. 38-2242, and amendments thereto, shall not exceed 24 hours, excluding Saturdays, Sundays, legal holidays, and days on which the office of the clerk of the court is not accessible. The order of temporary custody shall remain in effect until modified or rescinded by the court or an adjudication order is entered but not exceeding 60 days, unless good cause is shown and stated on the record.

(h) If the court issues an order of temporary custody, the court may also enter an order restraining any alleged perpetrator of physical, sexual, mental or emotional abuse of the child from residing in the child's home; visiting, contacting, harassing or intimidating the child; or attempting to visit, contact, harass or intimidate the child, other family members or witnesses. Such restraining order shall be served by personal service pursuant to K.S.A. 38-2237(a), and amendments thereto, on any alleged perpetrator to whom the order is directed.

(i) (1) The court shall not enter the initial order removing a child from the custody of a parent pursuant to this section unless the court first finds probable cause that:

(A) (i) The child is likely to sustain harm if not immediately removed from the home;

(ii) allowing the child to remain in home is contrary to the welfare of the child; or

(iii) immediate placement of the child is in the best interest of the child; and

(B) reasonable efforts have been made to maintain the family unit and prevent the unnecessary removal of the child from the child's home or that an emergency exists which threatens the safety to the child.

(2) Such findings shall be included in any order entered by the court. If the child is placed in the custody of the secretary, upon making the order the court shall provide the secretary with a written copy.

(j) If the court enters an order of temporary custody that provides for placement of the child with a person other than the parent, the court shall make a child support determination pursuant to K.S.A. 38-2277, and amendments thereto.

Sec. 7. K.S.A. 38-2302 is hereby amended to read as follows: 38-2302. As used in this code, unless the context otherwise requires:

(a) "Commissioner" means the secretary of corrections or the secretary's designee.

(b) "Community supervision officer" means any officer from court services, community corrections or any other individual authorized to supervise a juvenile on an immediate intervention, probation or conditional release.

(c) "Conditional release" means release from a term of commitment in a juvenile correctional facility for an aftercare term pursuant to K.S.A. 38-2369, and amendments thereto, under conditions established by the secretary of corrections.

(d) "Court-appointed special advocate" means a responsible adult, other than an attorney appointed pursuant to K.S.A. 38-2306, and amendments thereto, who is appointed by the court to represent the best interests of a child, as provided in K.S.A.

38-2307, and amendments thereto, in a proceeding pursuant to this code.

(e) "Detention risk assessment tool" means a risk assessment instrument adopted pursuant to K.S.A. 75-7023(f), and amendments thereto, used to identify factors shown to be statistically related to a juvenile's risk of failing to appear in court or reoffending pre-adjudication and designed to assist in making detention determinations.

(f) "Educational institution" means all schools at the elementary and secondary levels.

(g) "Educator" means any administrator, teacher or other professional or paraprofessional employee of an educational institution who has exposure to a pupil specified in K.S.A. 72-6143(a)(1) through (5), and amendments thereto.

(h) "Evidence-based" means practices, policies, procedures and programs demonstrated by research to produce reduction in the likelihood of reoffending.

(i) "Graduated responses" means a system of community-based sanctions and incentives developed pursuant to K.S.A. 75-7023(h) and K.S.A. 38-2392, and amendments thereto, used to address violations of immediate interventions, terms and conditions of probation and conditional release and to incentivize positive behavior.

(j) "Immediate intervention" means all programs or practices developed by the county to hold juvenile offenders accountable while allowing such offenders to be diverted from formal court processing pursuant to K.S.A. 38-2346, and amendments thereto.

(k) "Institution" means the Larned juvenile correctional facility and the Kansas juvenile correctional complex.

(l) "Investigator" means an employee of the department of corrections assigned by the secretary of corrections with the responsibility for investigations concerning employees at the juvenile correctional facilities and juveniles in the custody of the secretary of corrections at a juvenile correctional facility.

(m) "Jail" means:

(1) An adult jail or lockup; or

(2) a facility in the same building as an adult jail or lockup, unless the facility meets all applicable licensure requirements under law and there is: (A) Total separation of the juvenile and adult facility spatial areas such that there could be no haphazard or accidental contact between juvenile and adult residents in the respective facilities; (B) total separation in all juvenile and adult program activities within the facilities, including recreation, education, counseling, health care, dining, sleeping and general living activities; and (C) separate juvenile and adult staff, including management, security staff and direct care staff such as recreational, educational and counseling.

(n) "Juvenile" means a person to whom one or more of the following applies, the person: (1) Is 10 or more years of age but less than 18 years of age; (2) is alleged to be a juvenile offender; or (3) has been adjudicated as a juvenile offender and continues to be subject to the jurisdiction of the court.

(o) "Juvenile correctional facility" means a facility operated by the secretary of corrections for the commitment of juvenile offenders.

(p) "Juvenile corrections officer" means a certified employee of the department of corrections working at a juvenile correctional facility assigned by the secretary of corrections with responsibility for maintaining custody, security and control of juveniles in the custody of the secretary of corrections at a juvenile correctional facility.

(q) "Juvenile detention facility" means a public or private facility licensed pursuant

to article 5 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, which is used for the lawful custody of alleged or adjudicated juvenile offenders.

(r) "Juvenile intake and assessment worker" means a responsible adult trained and authorized to perform intake and assessment services as part of the intake and assessment system established pursuant to K.S.A. 75-7023, and amendments thereto.

(s) "Juvenile offender" means a person who commits an offense while 10 or more years of age but less than 18 years of age which if committed by an adult would constitute the commission of a felony or misdemeanor as defined by K.S.A. 2022 Supp. 21-5102, and amendments thereto, or who violates the provisions of K.S.A. 41-727, K.S.A. 74-8810(j) or K.S.A. 2022 Supp. 21-6301(a)(14), and amendments thereto, but does not include:

(1) A person 14 or more years of age who commits a traffic offense, as defined in K.S.A. 8-2117(d), and amendments thereto;

(2) a person 16 years of age or over who commits an offense defined in chapter 32 of the Kansas Statutes Annotated, and amendments thereto;

(3) a person under 18 years of age who previously has been:

(A) Convicted as an adult under the Kansas criminal code;

(B) sentenced as an adult under the Kansas criminal code following termination of status as an extended jurisdiction juvenile pursuant to K.S.A. 38-2364, and amendments thereto; or

(C) convicted or sentenced as an adult in another state or foreign jurisdiction under substantially similar procedures described in K.S.A. 38-2347, and amendments thereto, or because of attaining the age of majority designated in that state or jurisdiction.

(t) "Law enforcement officer" means any person who by virtue of that person's office or public employment is vested by law with a duty to maintain public order or to make arrests for crimes, whether that duty extends to all crimes or is limited to specific crimes.

(u) "Overall case length limit" when used in relation to a juvenile adjudicated a juvenile offender means the maximum jurisdiction of the court following disposition on an individual case. Pursuant to K.S.A. 38-2304, and amendments thereto, the case and the court's jurisdiction shall terminate once the overall case length limit expires and may not be extended.

(v) "Parent" when used in relation to a juvenile, includes a guardian and every person who is, by law, liable to maintain, care for or support the juvenile.

(w) "Probation" means a period of community supervision ordered pursuant to K.S.A. 38-2361, and amendments thereto, overseen by either court services or community corrections, but not both.

(x) "Reasonable and prudent parenting standard" means the standard characterized by careful and sensible parental decisions that maintain the health, safety and best interests of a child while at the same time encouraging the emotional and developmental growth of the child, that a caregiver shall use when determining whether to allow a child in foster care under the responsibility of the state to participate in extracurricular, enrichment, cultural and social activities.

(y) "Reintegration plan" means a written document prepared in consultation with the child's parent or guardian that:

(1) Describes the reintegration goal, which, if achieved, will most likely give the juvenile and the victim of the juvenile a permanent and safe living arrangement;

(2) describes the child's level of physical health, mental and emotional health and educational functioning;

(3) provides an assessment of the needs of the child and family;

(4) describes the services to be provided to the child, the child's family and the child's foster parents, if appropriate;

(5) includes a description of the tasks and responsibilities designed to achieve the plan and to whom assigned;

(6) includes measurable objectives and time schedules for achieving the plan; and

(7) if the child is in an out of home placement:

(A) Provides a statement for the basis of determining that reintegration is determined not to be a viable option if such a determination is made and includes a plan for another permanent living arrangement;

(B) describes available alternatives;

(C) justifies the alternative placement selected, including a description of the safety and appropriateness of such placement; and

(D) describes the programs and services that will help the child prepare to live independently as an adult.

(z) "Risk and needs assessment" means a standardized instrument administered on juveniles to identify specific risk factors and needs shown to be statistically related to a juvenile's risk of reoffending and, when properly addressed, can reduce a juvenile's risk of reoffending.

(aa) "Secretary" means the secretary of corrections or the secretary's designee.

(bb) "Technical violation" means an act that violates the terms or conditions imposed as part of a probation disposition pursuant to K.S.A. 38-2361, and amendments thereto, and that does not constitute a new juvenile offense or a new child in need of care violation pursuant to K.S.A. 38-2202(d), and amendments thereto.

(cc) "Warrant" means a written order by a judge of the court directed to any law enforcement officer commanding the officer to take into custody the juvenile named or described therein.

(dd) "Youth residential facility" means any home, foster home or structure which provides 24-hour-a-day care for juveniles and which is licensed pursuant to article 5 of chapter 65 or article 70 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto.

(ee) "Behavioral health crisis" means behavioral and conduct issues that impact the safety or health of a juvenile, members of the juvenile's household or family or members of the community, including, but not limited to, non-life threatening mental health and substance abuse concerns.";

On page 4, by striking all in lines 38 through 43;

By striking all on pages 5 through 11;

On page 12, by striking all in lines 1 through 18; following line 18, by inserting:

"Sec. 9. K.S.A. 38-2330 is hereby amended to read as follows: 38-2330. (a) A law enforcement officer may take a juvenile into custody when:

(1) Any offense has been or is being committed in the officer's view;

(2) the officer has a warrant commanding that the juvenile be taken into custody;

(3) the officer has probable cause to believe that a warrant or order commanding that the juvenile be taken into custody has been issued in this state or in another jurisdiction for an act committed therein;

(4) the officer has probable cause to believe that the juvenile is committing or has committed an act which, if committed by an adult, would constitute:

(A) A felony; or

(B) a misdemeanor and: (i) The juvenile will not be apprehended or evidence of the offense will be irretrievably lost unless the juvenile is immediately taken into custody; or (ii) the juvenile may cause injury to self or others or damage to property or may be injured unless immediately taken into custody;

(5) the officer has probable cause to believe that the juvenile has violated an order for electronic monitoring as a term of probation; or

(6) the officer receives a written statement pursuant to subsection (c).

(b) A court services officer, juvenile community corrections officer or other person authorized to supervise juveniles subject to this code, may take a juvenile into custody when: (1) There is a warrant commanding that the juvenile be taken into custody; or (2) the officer has probable cause to believe that a warrant or order commanding that the juvenile be taken into custody has been issued in this state or in another jurisdiction for an act committed therein.

(c) Any court services officer, juvenile community corrections officer or other person authorized to supervise juveniles subject to this code, may request a warrant by giving the court a written statement setting forth that the juvenile, in the judgment of the court services officer, juvenile community corrections officer or other person authorized to supervise juveniles subject to this code:

(1) (A) Has violated the condition of the juvenile's conditional release from detention or probation, for the third or subsequent time; and

(B) poses a significant risk of physical harm to another or damage to property; or

(2) has absconded from supervision.

(d) (1) A juvenile taken into custody by a law enforcement officer or other person authorized pursuant to subsection (b) shall be brought without unnecessary delay to the custody of the juvenile's parent or other custodian, unless there are reasonable grounds to believe that such action would not be in the best interests of the child or would pose a risk to public safety or property.

(2) If the juvenile cannot be delivered to the juvenile's parent or custodian, the officer may:

(A) Issue a notice to appear pursuant to subsection (g);

(B) contact or deliver the juvenile to an intake and assessment worker for completion of the intake and assessment process pursuant to K.S.A. 75-7023, and amendments thereto; or

(C) if the juvenile is determined to not be detention eligible based on a standardized detention risk assessment tool and is experiencing a ~~mental~~ behavioral health crisis, deliver a juvenile to a juvenile crisis intervention center, as described in K.S.A. 65-536, and amendments thereto, after written authorization by a community mental health center.

(3) It shall be the duty of the officer to furnish the county or district attorney and the juvenile intake and assessment worker if the officer has delivered the juvenile to the worker or issued a notice to appear consistent with subsection (g), with all of the information in the officer's possession pertaining to the juvenile, the juvenile's parent or other persons interested in or likely to be interested in the juvenile and all other facts and circumstances which caused the juvenile to be arrested or taken into custody.

(e) In the absence of a court order to the contrary, the court or officials designated by the court, the county or district attorney or the law enforcement agency taking a juvenile into custody shall direct the release prior to the time specified by K.S.A. 38-2343(a), and amendments thereto. In addition, pursuant to K.S.A. 75-7023 and K.S.A. 38-2346, and amendments thereto, a juvenile intake and assessment worker shall direct the release of a juvenile prior to a detention hearing after the completion of the intake and assessment process.

(f) Whenever a person 18 years of age or more is taken into custody by a law enforcement officer for an alleged offense which was committed prior to the time the person reached the age of 18, the officer shall notify and refer the matter to the court for proceedings pursuant to this code, except that the provisions of this code relating to detention hearings shall not apply to that person. If such person is eligible for detention, and all suitable alternatives to detention have been exhausted, the person shall be detained in jail. Unless the law enforcement officer took the person into custody pursuant to a warrant issued by the court and the warrant specifies the amount of bond or indicates that the person may be released on personal recognizance, the person shall be taken before the court of the county where the alleged act took place or, at the request of the person, the person shall be taken, without delay, before the nearest court. The court shall fix the terms and conditions of an appearance bond upon which the person may be released from custody. The provisions of article 28 of chapter 22 of the Kansas Statutes Annotated and K.S.A. 22-2901, and amendments thereto, relating to appearance bonds and review of conditions and release shall be applicable to appearance bonds provided for in this section.

(g) (1) Whenever a law enforcement officer detains any juvenile and such juvenile is not immediately taken to juvenile intake and assessment services, the officer may serve upon such juvenile a written notice to appear. Such notice to appear shall contain the name and address of the juvenile detained, the crime charged and the location and phone number of the juvenile intake and assessment services office where the juvenile will need to appear with a parent or guardian.

(2) The juvenile intake and assessment services office specified in such notice to appear must be contacted by the juvenile or a parent or guardian no more than 48 hours after such notice is given, excluding weekends and holidays.

(3) The juvenile detained, in order to secure release as provided in this section, must give a written promise to call within the time specified by signing the written notice prepared by the officer. The original notice shall be retained by the officer and a copy shall be delivered to the juvenile detained and that juvenile's parent or guardian if such juvenile is under 18 years of age. The officer shall then release the juvenile.

(4) The law enforcement officer shall cause to be filed, without unnecessary delay, a complaint with juvenile intake and assessment services in which a juvenile released pursuant to paragraph (3) is given notice to appear, charging the crime stated in such notice. A copy shall also be provided to the district or county attorney. If the juvenile released fails to contact juvenile intake and assessment services as required in the notice to appear, juvenile intake and assessment services shall notify the district or county attorney.

(5) The notice to appear served pursuant to paragraph (1) and the complaint filed pursuant to paragraph (4) may be provided to the juvenile in a single citation.";

On page 13, in line 25, after "to" by inserting "a repeated, intentional effort to"; also

in line 25, after "juvenile" by inserting "as reported by the evidence-based services provider";

On page 14, in line 15, by striking "90" and inserting "45"; in line 39, after the period by inserting "The court services officer or community correctional services officer shall immediately notify the court and shall submit in writing a report showing in what manner the juvenile has violated probation, conditional release or a condition of sentence.";

On page 15, in line 19, after "court" by inserting "if the judge makes a finding that the juvenile is demonstrating escalating use of physical violence, aggression, weapons, damage to property or life-threatening substances"; following line 37, by inserting:

"Sec. 12. K.S.A. 65-536 is hereby amended to read as follows: 65-536. (a) A juvenile crisis intervention center is a facility that provides short-term observation, assessment, treatment and case planning, and referral for any juvenile who is experiencing a ~~mental~~ behavioral health crisis and is likely to cause harm to self or others. Such centers shall:

(1) Address or ensure access to the broad range of services to meet the needs of a juvenile admitted to the center, including, but not limited to, medical, psychiatric, psychological, social ~~and~~, educational and substance abuse-related services;

(2) not include construction features designed to physically restrict the movements and activities of juveniles, but shall have a design, structure, interior and exterior environment, and furnishings to promote a safe, comfortable and therapeutic environment for juveniles admitted to the center;

(3) implement written policies and procedures that include the use of a combination of supervision, inspection and accountability to promote safe and orderly operations; and

(4) implement written policies and procedures for staff monitoring of all center entrances and exits.

(b) A juvenile crisis intervention center shall provide treatment to juveniles admitted to such center, as appropriate while admitted.

(c) A juvenile crisis intervention center may be on the same premises as that of another licensed facility. If the juvenile crisis intervention center is on the same premises as that of another licensed facility, the living unit of the juvenile crisis intervention center shall be maintained in a separate, self-contained unit. No juvenile crisis intervention center shall be in a city or county jail or a juvenile detention facility.

(d) (1) A juvenile may be admitted to a juvenile crisis intervention center when:

(A) The head of such center determines such juvenile is in need of treatment and likely to cause harm to self or others;

(B) a qualified mental health professional from a community mental health center has given written authorization for such juvenile to be admitted to a juvenile crisis intervention center; and

(C) no other more appropriate treatment services are available and accessible to the juvenile at the time of admission.

(2) A juvenile may be admitted to a juvenile crisis intervention center for not more than 30 days. A parent with legal custody or legal guardian of a juvenile placed in a juvenile crisis intervention center may remove such juvenile from the center at any time. If the removal may cause the juvenile to become a child in need of care pursuant to K.S.A. 38-2202(d), and amendments thereto, the head of a juvenile crisis intervention

center may report such concerns to the department for children and families or law enforcement or may request the county or district attorney to initiate proceedings pursuant to the revised Kansas code for care of children. If the head of a juvenile crisis intervention center determines the most appropriate action is to request the county or district attorney to initiate proceedings pursuant to the revised Kansas code for care of children, the head of such center shall make such request and shall keep such juvenile in the center for an additional 24-hour period to initiate the appropriate proceedings.

(3) When a juvenile is released from a juvenile crisis intervention center, the managed care organization, if the juvenile is a medicaid recipient, and the community mental health center serving the area where the juvenile is being discharged shall be involved with discharge planning. Within seven days prior to the discharge of a juvenile, the head of the juvenile crisis intervention center shall give written notice of the date and time of the discharge to the patient, the managed care organization, if the juvenile is a medicaid recipient, and the community mental health center serving the area where the juvenile is being discharged, and the patient's parent, custodian or legal guardian.

(e) (1) Upon admission to a juvenile crisis intervention center, and if the juvenile is a medicaid recipient, the managed care organization shall approve services as recommended by the head of the juvenile crisis intervention center. Within 14 days after admission, the head of the juvenile crisis intervention center shall develop a plan of treatment for the juvenile in collaboration with the managed care organization.

(2) Nothing in this subsection shall prohibit the department of health and environment from administering or reimbursing state medicaid services to any juvenile admitted to a juvenile crisis intervention center pursuant to a waiver granted under section 1915(c) of the federal social security act, provided that such services are not administered through a managed care delivery system.

(3) Nothing in this subsection shall prohibit the department of health and environment from reimbursing any state medicaid services that qualify for reimbursement and that are provided to a juvenile admitted to a juvenile crisis intervention center.

(4) Nothing in this subsection shall impair or otherwise affect the validity of any contract in existence on July 1, 2018, between a managed care organization and the department of health and environment to provide state medicaid services.

(5) On or before January 1, 2019, the secretary of health and environment shall submit to the United States centers for medicare and medicaid services any approval request necessary to implement this subsection.

(f) The secretary for children and families, in consultation with the attorney general, shall promulgate rules and regulations to implement the provisions of this section on or before January 1, 2019.

(g) The secretary for children and families shall annually report information on outcomes of juveniles admitted into juvenile crisis intervention centers to the joint committee on corrections and juvenile justice oversight, the corrections and juvenile justice committee of the house of representatives and the judiciary committee of the senate. Such report shall include:

(1) The number of admissions, releases and the lengths of stay for juveniles admitted to juvenile crisis intervention centers;

(2) services provided to juveniles admitted;

(3) needs of juveniles admitted determined by evidence-based assessment; and
 (4) success and recidivism rates, including information on the reduction of involvement of the child welfare system and juvenile justice system with the juvenile.

(h) The secretary of corrections may enter into memorandums of agreement with other cabinet agencies to provide funding, not to exceed \$2,000,000 annually, from the evidence-based programs account of the state general fund or other available appropriations for juvenile crisis intervention services.

(i) For the purposes of this section:

(1) "Behavioral health crisis" means behavioral and conduct issues that impact the safety or health of a juvenile, members of the juvenile's household or family or members of the community, including, but not limited to, non-life threatening mental health and substance abuse concerns;

(2) "head of a juvenile crisis intervention center" means the administrative director of a juvenile crisis intervention center or such person's designee;

~~(2)~~(3) "juvenile" means a person who is less than 18 years of age;

~~(3)~~(4) "likely to cause harm to self or others" means that a juvenile, by reason of the juvenile's behavioral health condition, mental disorder or mental condition is likely, in the reasonably foreseeable future, to cause substantial physical injury or physical abuse to self or others or substantial damage to another's property, as evidenced by behavior threatening, attempting or causing such injury, abuse or damage;

~~(4)~~(5) "treatment" means any service intended to promote the mental health of the patient and rendered by a qualified professional, licensed or certified by the state to provide such service as an independent practitioner or under the supervision of such practitioner; and

~~(5)~~(6) "qualified mental health professional" means a physician or psychologist who is employed by a participating mental health center or who is providing services as a physician or psychologist under a contract with a participating mental health center, a licensed masters level psychologist, a licensed clinical psychotherapist, a licensed marriage and family therapist, a licensed clinical marriage and family therapist, a licensed professional counselor, a licensed clinical professional counselor, a licensed specialist social worker or a licensed master social worker or a registered nurse who has a specialty in psychiatric nursing, who is employed by a participating mental health center and who is acting under the direction of a physician or psychologist who is employed by, or under contract with, a participating mental health center.

(j) This section shall be part of and supplemental to article 5 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.";

On page 17, in line 1, by striking "mental" and inserting "behavioral"; in line 9, after the second "centers" by inserting ", community health centers, the youth advocate program, jobs for America's graduates Kansas transition services"; in line 41, before "The" by inserting "(1)"; in line 43, after "(a)" by inserting "and promising practices";

On page 18, in line 2, after "fund" by inserting "after other expenditures for evidence-based programs are made"; following line 8, by inserting:

"(2) Child welfare case management providers shall not be eligible to receive grants under this subsection.";

Also on page 18, in line 19, after "K.S.A." by inserting "38-2202,"; also in line 19, after the first comma by inserting "38-2231, 38-2243, 38-2302,"; also in line 19, by striking "38-2361" and inserting "38-2330"; also in line 19, after "38-2392," by

inserting "65-536,";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the semicolon by inserting "requiring the secretary of corrections to provide assessments and certain services for juveniles in detention; changing the criteria used to refer and admit juveniles to juvenile crisis intervention centers; defining behavioral health crisis;"; in line 6, by striking all after the semicolon; in line 7, by striking all before "amending"; also in line 7, after "K.S.A." by inserting "38-2202,"; also in line 7, after "38-2203," by inserting "38-2231, 38-2243, 38-2302,"; also in line 7, by striking "38-2361" and inserting "38-2330"; in line 8, after "38-2392," by inserting "65-536,";

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

KELLIE WARREN

RICK WILBORN

ETHAN CORSON

Conferees on part of Senate

STEPHEN OWENS

ERIC SMITH

BOOG HIGHBERGER

Conferees on part of House

The motion of Senator Warren to adopt the conference committee report on **HB 2021** failed.

On roll call, the vote was: Yeas 17; Nays 18; Present and Passing 2; Absent or Not Voting 3.

Yeas: Alley, Billinger, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Masterson, O'Shea, Petersen, Pyle, Steffen, Straub, Thompson, Warren, Wilborn.

Nays: Baumgardner, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Longbine, Olson, Peck, Pettey, Pittman, Reddi, Sykes, Tyson, Ware.

Present and Passing: Kloos, Ryckman.

Absent or Not Voting: Blasi, McGinn, Shallenburger.

The Conference Committee Report was not adopted

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2060** 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. 2060, as follows:

On page 4, following line 23, by inserting:

"Sec. 2. On and after July 1, 2023, K.S.A. 74-3265 is hereby amended to read as follows: 74-3265. (a) Within the limits of appropriations for osteopathic medical service scholarships, and in accordance with the provisions of this section, the state board of regents may award such scholarships to Kansas residents who are undergraduate students enrolled in or admitted to accredited or pre-accredited schools of osteopathic medicine in a course of instruction leading to the degree of doctor of osteopathy and

who enter into a written agreement with the state board of regents as provided in K.S.A. 74-3266, and amendments thereto.

(b) Osteopathic medical service scholarships shall be in effect for the period of time specified in subsection (c) and shall provide to the person receiving the scholarship the payment of an amount not to exceed the maximum amount of a loan authorized to be made under the medical student loan act.

(c) Osteopathic medical service scholarships shall be awarded on an annual basis and shall be in effect for one year unless otherwise terminated before the expiration of such period of time. A Kansas resident who is an undergraduate student enrolled in or admitted to an accredited or pre-accredited school of osteopathic medicine in a course of instruction leading to the degree of doctor of osteopathy may be awarded a scholarship for each year the student enters into a written agreement with the state board of regents as provided in K.S.A. 74-3266, and amendments thereto, up to a maximum of four years. For each year a student is awarded a scholarship, the student shall engage in the practice of medicine and surgery in Kansas for the period of time specified in ~~subsection (a)(3) of~~ K.S.A. 74-3266~~(a)(3)~~, and amendments thereto, unless such obligation is otherwise satisfied as provided in K.S.A. 74-3268, and amendments thereto.

(d) The state board of regents shall not award more than ~~45 25~~ osteopathic medical service scholarships in any year to persons who have not previously been awarded such a scholarship and, in any case, the state board shall not award more than ~~60 80~~ such scholarships in any year. In selecting Kansas residents to be awarded osteopathic medical service scholarships, the state board shall give primary consideration to students commencing their first year of instruction at accredited or pre-accredited schools of osteopathic medicine and thereafter shall consider students in later years of instruction.

Sec. 3. On and after July 1, 2023, K.S.A. 74-3268 is hereby amended to read as follows: 74-3268. (a) An obligation to engage in the practice of medicine and surgery in accordance with an agreement under K.S.A. 74-3266, and amendments thereto, shall be postponed during any period of time: (1) ~~During any~~ Of required ~~period of~~ active military service; (2) ~~during any period~~ of service as a part of volunteers in service to America (VISTA); (3) ~~during any period~~ of service in the peace corps; (4) ~~during any period~~ of service commitment to the United States public health service; (5) ~~during any period~~ of religious missionary work conducted by an organization exempt from tax under section 501(c)(3) of the federal internal revenue code as in effect on December 31, 2000; (6) ~~during any period of time~~ the person obligated is engaged solely in the teaching of medicine; (7) ~~during any period of time~~ the person obligated is engaged solely in medical research; (8) ~~during any period of time~~ the person obligated is unable because of temporary medical disability to practice medicine and surgery; (9) ~~during any period of time~~ the person obligated is on job-protected leave under the federal family and medical leave act of 1993; ~~or~~ (10) ~~during any period of time~~ the state board of regents determines that the person obligated is unable because of special circumstances to practice medicine and surgery; ~~or~~ (11) not longer than one year during which the person participates in a healthcare-related fellowship program.

(b) ~~Except for clauses~~ subsection (a)(8), (9) and (10), an obligation to engage in the practice of medicine and surgery in accordance with an agreement under K.S.A. 74-3266, and amendments thereto, shall not be postponed more than five years from the

time the practice of medicine and surgery was to have been commenced under any such agreement. An obligation to engage in the practice of medicine and surgery in accordance with an agreement under K.S.A. 74-3266, and amendments thereto, shall be postponed under ~~clause subsection (a)(8)~~ during the period of time the medical disability exists. An obligation to engage in the practice of medicine and surgery in accordance with an agreement under K.S.A. 74-3266, and amendments thereto, shall be postponed under ~~clause subsection (a)(9)~~ during the period of time the person obligated remains on FMLA leave. An obligation to engage in the practice of medicine and surgery in accordance with an agreement under K.S.A. 74-3266, and amendments thereto, shall be postponed under ~~clause subsection (a)(10)~~ during the period of time the state board of regents determines that the special circumstances exist. The state board of regents shall adopt rules and regulations prescribing criteria or guidelines for determination of the existence of special circumstances causing an inability to practice medicine and surgery, and shall determine the documentation required to prove the existence of such circumstances.

~~(b)~~(c) An obligation to engage in the practice of medicine and surgery in accordance with an agreement under K.S.A. 74-3266, and amendments thereto, shall be satisfied: (1) If the obligation to engage in the practice of medicine and surgery has been completed in accordance with the agreement; (2) if the person obligated dies; (3) if, because of permanent physical disability, the person obligated is unable to practice medicine and surgery; (4) if the person obligated fails to satisfy the requirements for a degree of doctor of osteopathy after making the best effort possible to obtain such degree; or (5) if the person obligated fails to satisfy all requirements for a permanent license to practice medicine and surgery in Kansas or any other jurisdiction or has been denied a license after the person has applied for a license and has made the best effort possible to obtain a license."

On page 8, following line 28, by inserting:

"Sec. 6. On and after July 1, 2023, K.S.A. 76-381 is hereby amended to read as follows: 76-381. As used in K.S.A. 76-380 through 76-386, and amendments thereto:

(a) "Act" means the medical student loan act;

(b) "approved postgraduate residency training program" means a residency training program in general pediatrics, general internal medicine, family medicine, family practice, emergency medicine, obstetrics and gynecology, general psychiatry, child psychiatry or fellowship training in geriatric medicine;

(c) "service commitment area" means: (1) Any community within any county in Kansas other than Douglas, Johnson, Sedgwick, Shawnee or Wyandotte county; (2) any state medical care facility or institution; (3) any medical center operated by the veterans administration of the United States; (4) ~~the full-time faculty of the university of Kansas school of medicine in family medicine, family practice, general psychiatry or child psychiatry if serving as full-time faculty as provided in K.S.A. 76-384(c), and amendments thereto;~~ or (5) any community within Wyandotte county for purposes of any practice obligation under an agreement entered into by a person who is enrolled for the first time after July 1, 2004, in a course of study leading to the medical degree; and

(d) "state medical care facility or institution" includes, but is not limited to, the Kansas state school for the visually handicapped blind, the Kansas state school for the deaf, any institution under the secretary for aging and disability services, as defined by in K.S.A. 76-12a01, and amendments thereto, any institution ~~under the commissioner of~~

juvenile justice as defined by ~~in~~ in K.S.A. 38-2302, and amendments thereto, the Kansas soldiers' home, the Kansas veterans' home and any correctional institution under the secretary of corrections, as defined by ~~in~~ in K.S.A. 75-5202, and amendments thereto, but shall not include any state educational institution under the state board of regents, as defined by ~~in~~ in K.S.A. 76-711, and amendments thereto, except as specifically provided by statute.

Sec. 7. On and after July 1, 2023, K.S.A. 76-382 is hereby amended to read as follows: 76-382. (a) There is hereby established the medical student loan program at the university of Kansas school of medicine.

(b) Subject to the provisions of appropriation acts, the university of Kansas school of medicine may make medical student loans in accordance with the provisions of ~~this~~ the medical student loan act to undergraduate students enrolled in or admitted to the university of Kansas school of medicine in a course of instruction leading to the degree of doctor of medicine who enter into a written medical student loan agreement with the university of Kansas school of medicine in accordance with K.S.A. 76-383, and amendments thereto.

(c) Each medical student loan agreement under ~~this~~ the medical student loan act shall provide to the person receiving the loan the payment of all tuition and a stipend for living expenses in an amount of up to \$2,000 per month for each month enrolled in such school during a year. Subject to the maximum amount, the amount of the monthly stipend shall be determined on an annual basis by the student receiving the loan.

(d) Subject to the provisions of appropriation acts, medical student loan agreements under ~~this~~ the medical student loan act may be entered into on an annual basis and shall provide the payment of the amounts specified under subsection (c) for one year unless otherwise terminated before such period of time. Subject to the provisions of appropriation acts, an undergraduate student enrolled in or admitted to the university of Kansas school of medicine in a course of instruction leading to the degree of doctor of medicine may receive a separate loan under ~~this~~ the medical student loan act for each separate year the student enters into a written medical student loan agreement with the university of Kansas school of medicine in accordance with K.S.A. 76-383, and amendments thereto. Loans may be awarded retroactively for any academic year that a student has completed successfully at the university of Kansas medical school; but for which a loan had not previously been awarded. Retroactive loans shall be in an amount equal to the amount of tuition paid by the student, plus a stipend in an amount not to exceed the maximum amount of the stipend for such academic year multiplied by the number of months for which the student was enrolled at the medical school during such year. For each separate year a student receives a loan under ~~this~~ the medical student loan act, the student shall engage in the full-time practice of medicine and surgery in an appropriate service commitment area for a period of 12 months unless such obligation is otherwise satisfied as provided in K.S.A. 76-386, and amendments thereto.

(e) Medical student loans shall be awarded on a priority basis as follows: First, to qualified applicants who are Kansas residents at the time of entry into the university of Kansas school of medicine; and second, to qualified applicants who are not Kansas residents at the time of entry into the university of Kansas school of medicine. As used in this subsection, "Kansas residents" means persons who meet the residence requirements established in K.S.A. 76-729, and amendments thereto.

(f) Subject to appropriations, the university of Kansas school of medicine shall

enter into medical student loan agreements with ~~six~~ up to 12 individuals who commit to satisfy obligations to engage in the full-time practice of medicine and surgery in a service commitment area by:

(1) Serving as a full-time faculty member of the university of Kansas school of medicine in general psychiatry or child psychiatry pursuant to K.S.A. 76-384(c), and amendments thereto; or

(2) performing at least 100 hours per month of on-site mental ~~health care~~ healthcare pursuant to K.S.A. 76-384(d), and amendments thereto.

(g) For any student who has entered into a medical student loan agreement pursuant to the medical student loan act, the university of Kansas school of medicine shall not prohibit or otherwise create any substantial impediment to such student switching between approved postgraduate residency training programs.

Sec. 8. On and after July 1, 2023, K.S.A. 76-383 is hereby amended to read as follows: 76-383. A medical student loan agreement entered into by the university of Kansas school of medicine and an undergraduate student enrolled in or admitted to the university of Kansas school of medicine in a course of instruction leading to the degree of doctor of medicine for the purpose of receiving a medical student loan under this act shall require that the person receiving the loan:

(a) Complete the required course of instruction and receive the degree of doctor of medicine and apply for, enter and complete an approved postgraduate residency training program;

(b) apply for and obtain a license to practice medicine and surgery in Kansas;

(c) except as otherwise provided in K.S.A. 76-384, and amendments thereto, engage in the full-time practice of medicine and surgery for a period of 12 months within a service commitment area, ~~except as otherwise provided in K.S.A. 76-384(c), and amendments thereto, for service as a full-time faculty member of the university of Kansas school of medicine in family medicine, family practice, general psychiatry or child psychiatry;~~

(d) commence such full-time practice of medicine and surgery within nine months after completion of an approved postgraduate residency training program and licensure in a service commitment area and continue such full-time practice in such service commitment area for a consecutive period of months equal to the total number of months required under the agreement;

(e) agree that the service commitment for each agreement entered into under this act is in addition to the service commitment contained in any other agreement ~~which~~ that has been or may be entered into under this act for the purpose of obtaining a medical student loan or under other agreements for the purpose of obtaining scholarship aid;

(f) maintain records and make reports to the university of Kansas school of medicine to document the satisfaction of the obligation under such agreement to engage in the full-time practice of medicine and surgery within a service commitment area and to continue such full-time practice in such service commitment area for a consecutive period of months equal to the total number of months required under the agreement; and

(g) upon failure to satisfy an agreement to engage in the full-time practice of medicine and surgery within a service commitment area for the required period of time under any such agreement, the person receiving a medical student loan under this act shall repay amounts to the university of Kansas school of medicine as provided in

K.S.A. 76-385, and amendments thereto.

Sec. 9. On and after July 1, 2023, K.S.A. 76-385 is hereby amended to read as follows: 76-385. (a) (1) Except as otherwise provided in paragraphs (2), ~~(3), (4) and (5)~~ through (6) or in K.S.A. 76-386, and amendments thereto, upon the failure of any person to satisfy the obligation to engage in the full-time practice of medicine and surgery within a service commitment area of this state for the required period of time under any medical student loan agreement entered into under this act, such person shall repay to the university of Kansas school of medicine in accordance with subsection (b) an amount equal to the total of: (A) The amount of money received by such person pursuant to such agreement, or the amount of money determined under rules and regulations of the university of Kansas; plus (B) annual interest at a rate of 15% from the date such money was received.

(2) Any person who fails to apply for and enter an approved postgraduate residency training program shall be required to repay all moneys received pursuant to an agreement entered into for any such medical student loan, plus accumulated interest at an annual rate of 15% and shall commence such repayment in accordance with subsection (b) within 90 days of graduation from the school of medicine or upon termination or completion of a residency training program ~~which that~~ does not comply with the provisions of this act, whichever is later.

(3) If at any time a person is failing to satisfy an obligation to engage in the full-time practice of medicine and surgery in Kansas for the required period of time under an agreement entered into under this act because such person is engaged in the full-time practice of medicine and surgery in a state other than Kansas, or within Kansas in an area that is not a service commitment area or in the practice of medicine and surgery which does not otherwise comply with the agreement entered into under this act, and if such person is subject to or currently making repayments under this section and if such person subsequently commences the practice of medicine and surgery in this state which is in a service commitment area or which otherwise complies with the agreement entered into under this act, the balance of the repayment amount, including interest thereon, from the time of such commencement of practice until the obligation of such person is satisfied, or until the time such person again becomes subject to repayments, shall be waived. All repayment amounts due prior to such commencement of practice, including interest thereon, shall continue to be payable as provided in this section. If subsequent to such commencement of practice, the person fails to satisfy such obligation, the person again shall be subject to repayments, including interest thereon, as otherwise provided in this section.

(4) If, during the time a person is satisfying the service requirement of an agreement entered into under this act, such person desires to engage in less than the full-time practice of medicine and surgery within a service commitment area of the state and remain in satisfaction of such service requirement, such person may make application to the chancellor of the university of Kansas or the designee of the chancellor for permission to engage in less than such full-time practice of medicine and surgery. Upon a finding of exceptional circumstances made by the chancellor of the university of Kansas, or the designee of the chancellor, such person may be authorized to engage in less than the full-time practice of medicine and surgery within a service commitment area of the state for the remaining required period of time under such agreement and for an additional period of time which shall be equal to the length of the

originally required period of time multiplied by the decimal fraction which is equal to the reduction of the full-time practice of medicine and surgery to be authorized hereunder, multiplied by two. In any such determination of the period required to be engaged in the less than full-time practice of medicine and surgery, the decimal fraction utilized shall not exceed 0.5 and any person granted permission to engage in less than the full-time practice of medicine and surgery in accordance with the provisions of this paragraph shall be required to engage in at least the half-time practice of medicine and surgery.

(5) Any person who enters but fails to complete an approved postgraduate residency training program, or who enters and completes an approved postgraduate residency training program but fails to satisfy the obligation to engage in the full-time practice of medicine and surgery within a service commitment area of this state for the required period of time shall be required to repay all money received pursuant to an agreement entered into under this act ~~a~~ for any such medical student loan, plus accumulated interest at an annual rate of 15%, and shall commence such repayment in accordance with subsection (b) within 90 days of failure to complete an approved postgraduate residency training program or 90 days of failure to commence qualifying practice, whichever occurs first. Any person who fails to satisfy the obligation to engage in the full-time practice of medicine and surgery in accordance with this section due to active military service of such person or such person's spouse shall not be required to pay the 15% annual interest rate on any moneys received under such agreement.

(6) For any person who entered and completed an approved postgraduate residency training program in obstetrics and gynecology, if during the time such person is satisfying the service requirement of an agreement entered into pursuant to this act, such person is employed by, provides services at or establishes any clinic or facility as such terms are defined in K.S.A. 65-4a01, and amendments thereto, or performs or induces, or attempts to perform or induce, an abortion, except in the case of a medical emergency as defined in K.S.A. 65-6701, and amendments thereto, or in the case of a pregnancy resulting from rape or incest, such person shall be deemed to have failed to complete such person's service requirement and shall be required to repay all money received pursuant to an agreement entered into under this act for any such medical student loan, plus accumulated interest at an annual rate of 15%, and shall commence such repayment in accordance with subsection (b).

(b) For any repayment requirement under this section, the person shall repay an amount totaling the entire amount to be repaid under all such agreements for which such obligations are not satisfied, including all amounts of interest at the rate prescribed. The repayment shall be made in not more than 10 equal annual installment payments.

(c) All installment payments under this section shall commence six months after the date of the action or circumstance that causes the failure of the person to satisfy the obligations of such agreements, as determined by the university of Kansas school of medicine based upon the circumstances of each individual case. In all cases, if an installment payment becomes 91 days overdue, the entire amount outstanding shall become immediately due and payable, including all amounts of interest at the rate prescribed.

(d) The total repayment obligation imposed under all agreements entered into under this act may be satisfied by the person who entered into the agreements at any time

prior to graduation from the university of Kansas school of medicine by making a single lump-sum payment equal to the total of: (1) The entire amount to be repaid under all such agreements upon failure to satisfy the obligations under such agreements to practice in Kansas; plus (2) all amounts of interest thereon at the rate prescribed to the date of payment.

(e) The university of Kansas school of medicine shall remit all moneys received 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 medical loan repayment fund.

(f) There is hereby created in the state treasury the medical loan repayment fund. All expenditures from the medical loan repayment fund shall be for medical student loans under the medical student loan act and for the expenses of administration of the medical student loan act and shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chancellor of the university of Kansas or by a person designated by the chancellor, except that expenditures shall not be made from the medical loan repayment fund for medical student loans for medical students who intend to enter and complete an approved postgraduate residency training program in obstetrics and gynecology, general psychiatry or child psychiatry. On the effective date of this act, the director of accounts and reports shall transfer all moneys in the medical scholarship and loan repayment fund to the medical loan repayment fund. On the effective date of this act, all liabilities of the medical scholarship and loan repayment fund are hereby imposed on the medical loan repayment fund and the medical scholarship and loan repayment fund is hereby abolished. Whenever the medical scholarship and loan repayment fund, or words of like effect, is referred to or designated by any statute, contract or other document, such reference or designation shall be deemed to apply to the medical loan repayment fund.

(g) There is hereby established in the state treasury the psychiatry medical loan repayment fund. All moneys credited to the psychiatry medical loan repayment fund shall be expended only for medical student loans for general psychiatry or child psychiatry students under the medical student loan act and for the expenses of administration of the medical student loan act associated with such students. All expenditures from the psychiatry medical loan repayment 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 chancellor of the university of Kansas or the chancellor's designee.

(h) There is hereby established in the state treasury the OBGYN medical loan repayment fund. All moneys credited to the OBGYN medical loan repayment fund shall be expended only for medical student loans for medical students who intend to enter and complete an approved postgraduate residency training program in obstetrics and gynecology under the medical student loan act and for the expenses of administration of the medical student loan act associated with such students. All expenditures from the OBGYN medical loan repayment 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 chancellor of the university of Kansas or the chancellor's designee.

(h)(i) Notwithstanding any other provision of law to the contrary, no moneys shall be transferred from the comprehensive grant program account of the state board of regents

to the medical loan repayment fund, the OBGYN medical loan repayment fund or the psychiatry medical loan repayment fund or expended for any purposes related thereto.

Sec. 10. On and after July 1, 2023, K.S.A. 76-386 is hereby amended to read as follows: 76-386. (a) An obligation to engage in the practice of medicine and surgery in accordance with an agreement under this act shall be postponed during any period of time for: (1) ~~During any Required period of active military service of the person obligated or such person's spouse;~~ (2) ~~during any period of service as a part of volunteers in service to America (VISTA);~~ (3) ~~during any period of service in the peace corps;~~ (4) ~~during any period of service commitment to the United States public health service;~~ (5) ~~during any period of religious missionary work conducted by an organization exempt from tax under subsection (c) of section 501 of the federal internal revenue code of 1986;~~ ~~or (6) during any period of temporary medical disability during which the person obligated is unable because of such medical disability to practice medicine and surgery;~~ or (7) not more than one year during which the person participates in a healthcare-related fellowship program.

(b) Except for clause (6) of this subsection (a)(6), an obligation to engage in the practice of medicine and surgery in accordance with an agreement under this act shall not be postponed more than five years from the time the practice of medicine and surgery was to have been commenced under any such agreement. An obligation to engage in the practice of medicine and surgery in accordance with an agreement under this act shall be postponed ~~under clause (6) of this subsection (a)(6)~~ during the period of time the medical disability exists.

~~(b)(c)~~ (c) An obligation to engage in the practice of medicine and surgery in accordance with an agreement under this act shall be satisfied: (1) If the obligation to engage in the practice of medicine and surgery in accordance with an agreement under this act has been completed; (2) if the person obligated dies; or (3) if, because of permanent physical disability, the person obligated is unable to practice medicine and surgery.

Sec. 11. On and after July 1, 2023, K.S.A. 76-387 is hereby amended to read as follows: 76-387. (a) (1) There is hereby established the Kansas medical residency bridging program at the university of Kansas school of medicine, which shall be developed and implemented in order to provide encouragement, opportunities and incentives for persons ~~in primary care or mental health care to:~~

(A) Enter and complete medical residency training programs in general pediatrics, general internal medicine, family medicine, family practice, obstetrics and gynecology, general psychiatry or child psychiatry that are operated by or affiliated with the university of Kansas school of medicine or other such ~~primary care or mental health care~~ medical residency training program that is operated in Kansas and approved by the state board of healing arts; ~~and a person under subsection (i) to~~

(B) locate their medical practice in rural Kansas communities upon completion of such residency training.

(2) The Kansas medical residency bridging program shall be administered by the institute for rural health care of the university of Kansas school of medicine.

(b) Subject to the provisions of appropriation acts, the university of Kansas school of medicine may enter into residency bridging loan agreements, ~~in accordance with the provisions of this section:~~ (A) with any person who has completed the first year of a ~~primary care or mental health care~~ medical residency training program in general

pediatrics, general internal medicine, family medicine, family practice, obstetrics and gynecology, general psychiatry or child psychiatry that is operated by or affiliated with the university of Kansas school of medicine or other such ~~primary care or mental health care~~ medical residency training program that is operated in Kansas and approved by the state board of healing arts; and ~~(B) with a person under subsection (i).~~

(c) Subject to the provisions of appropriation acts, each person entering into a residency bridging loan agreement under this section shall receive a payment of \$5,000 each year of ~~primary care or mental health care~~ medical residency training, or any part of a year of such training, after the date that the residency bridging loan agreement is entered into by the resident and the university of Kansas school of medicine and, upon completion of the ~~primary care or mental health care~~ medical residency training program, a payment of \$6,000.

(d) Each residency bridging loan agreement shall require that the person receiving the loan:

(1) Complete the ~~primary care or mental health care~~ medical residency training program;

(2) engage in the full-time practice of medicine and surgery in any county in Kansas other than Douglas, Johnson, Sedgwick, Shawnee or Wyandotte for three years under a practice commitment agreement;

(3) commence such full-time practice of medicine and surgery within 90 days after completing the ~~primary care or mental health care~~ medical residency training program; and

(4) upon failure to satisfy the obligation to engage in the full-time practice of medicine and surgery in accordance with the provisions of the residency bridging loan agreement and this section, the person receiving the loan under this section shall repay to the university of Kansas school of medicine, within 90 days of such failure, the amount equal to the amount of ~~money~~ moneys received by such person from the university of Kansas school of medicine, less credits earned, under such agreement plus interest at the annual rate of 15% from the date such ~~money was~~ moneys were received. Any person who fails to satisfy the obligation to engage in the full-time practice of medicine and surgery in accordance with this section due to active military service of such person or such person's spouse shall not be required to pay the 15% annual interest rate on any moneys received under such agreement.

(e) An obligation to engage in the practice of medicine and surgery in accordance with the provisions of a residency bridging loan agreement and this section shall be postponed during: (1) Any period of temporary medical disability during which the person obligated is unable to practice medicine and surgery because of such medical disability; (2) any period of not more than one year during which the person participates in a healthcare-related fellowship program; (3) any required period of active military service of the person obligated or such person's spouse; or ~~(2)~~ (4) any other period of postponement agreed to or determined in accordance with criteria agreed to in the practice commitment agreement.

(f) Except as otherwise provided in subsection (g), an obligation to engage in the practice of medicine and surgery in accordance with the provisions of a residency bridging loan agreement and this section shall be satisfied: (1) If the obligation to engage in the practice of medicine and surgery in accordance with such agreement has been completed; (2) if the person obligated dies; or (3) if, because of permanent

physical disability, the person obligated is unable to practice medicine and surgery.

(g) For any person who completed a medical residency training program in obstetrics and gynecology pursuant to this section, such person's obligation to engage in the practice of medicine and surgery in accordance with the provisions of a residency bridging loan agreement and this section shall be deemed to not be satisfied if such person is employed by, provides services at or establishes any clinic or facility as such terms are defined in K.S.A. 65-4a01, and amendments thereto, or performs or induces, or attempts to perform or induce, an abortion, except in the case of a medical emergency as defined in K.S.A. 65-6701, and amendments thereto, or in the case of a pregnancy resulting from rape or incest, at any time in which such person is obligated to satisfy the provisions of such person's loan agreement made pursuant to this section.

(h) The university of Kansas school of medicine may adopt additional provisions, requirements or conditions for participation in the Kansas medical residency bridging program as are practicable and appropriate to accomplish the purposes of the program or as may be required for the implementation or administration of the program and, in any case, as are not inconsistent with the provisions of this section or the provisions of appropriation acts.

~~(h)~~(i) As used in this section, "practice commitment agreement" means an agreement to commence the full-time practice of medicine and surgery in a city located in any county in Kansas other than Douglas, Johnson, Sedgwick, Shawnee or Wyandotte county, that:

(1) ~~Was entered into: (A) by a person in a primary care or mental health care~~ medical residency training program in general pediatrics, general internal medicine, family medicine, family practice, ~~obstetrics and gynecology,~~ general psychiatry or child psychiatry, that is operated by or affiliated with the university of Kansas school of medicine or other such ~~primary care or mental health care~~ medical residency training program that is operated in Kansas and approved by the state board of healing arts; ~~or (B) by a person under subsection (i), with the city where such practice is to commence or another contracting entity other than the university of Kansas school of medicine that is representative of the interests of such city; and~~

(2) provides benefits to such person that have an aggregate monetary value equal to or greater than the aggregate amount of payments to such person from the university of Kansas school of medicine under a residency bridging loan agreement under this section.

~~(i) A person who graduated from the university of Kansas school of medicine prior to July 1, 1992, who has completed the first year of a primary care residency training program in family practice which is operated outside the state of Kansas and who has entered into a practice commitment agreement with the north central Kansas health care foundation is eligible to enter into a residency bridging loan agreement under this section.~~

(j) Notwithstanding any other provision of law to the contrary, no moneys appropriated for the Kansas medical residency bridging program at the university of Kansas school of medicine, except moneys appropriated to the OBGYN medical residency bridging fund or the rural health bridging psychiatry fund, shall be expended for residency bridging loan agreements for medical residents training in obstetrics and gynecology, general psychiatry or child psychiatry.

(k) Subject to appropriations, the university of Kansas school of medicine shall

enter into residency bridging loan agreements with three medical residents training in general psychiatry or child psychiatry.

(l) There is hereby established in the state treasury the rural health bridging psychiatry fund. All moneys credited to the rural health bridging psychiatry fund shall be used only for purposes related to residency bridging loan agreements for medical residents training in general psychiatry or child psychiatry pursuant to ~~K.S.A. 76-387, and amendments thereto~~ this section. All expenditures from the rural health bridging psychiatry 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 chancellor of the university of Kansas or the chancellor's designee.

(m) There is hereby established in the state treasury the OBGYN medical residency bridging fund. All moneys credited to the OBGYN medical residency bridging fund shall be used only for purposes related to residency bridging loan agreements for medical residents training in obstetrics and gynecology pursuant to this section. All expenditures from the OBGYN medical residency bridging 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 chancellor of the university of Kansas or the chancellor's designee.

(n) Notwithstanding any other provision of law to the contrary, no moneys shall be transferred from the comprehensive grant program account of the state board of regents to the rural health bridging psychiatry fund or the OBGYN medical residency bridging fund or expended for any purposes related to the Kansas medical residency bridging program.";

On page 8, in line 30, after the first "K.S.A." by inserting "74-3265, 74-3268,"; also in line 30, after "74-32,434" by inserting ", 76-381, 76-382, 76-383, 76-385, 76-386, 76-386a and 76-387";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "educational"; in line 2, by striking "institutions" and inserting "and postgraduate programs"; in line 3, after the semicolon by inserting "increasing the number of osteopathic medical service scholarships; including obstetrics and gynecology in the medical student loan act and medical residency bridging program; increasing the number of loan agreements in the medical student loan act; establishing the OBGYN medical loan repayment fund and the OBGYN medical residency bridging fund"; in line 7, by striking the first "and" and inserting ", 74-3265, 74-3268,"; also in line 7, after "74-32,434" by inserting ", 76-381, 76-382, 76-383, 76-385, 76-386 and 76-387"; in line 8, after "sections" by inserting "; also repealing K.S.A. 76-386a";

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

MOLLY BAUMGARDNER

RENEE ERICKSON

DINAH SYKES

Conferees on part of Senate

KRISTEY WILLIAMS

BRENDA LANDWEHR

VALDENIA WINN

Conferees on part of House

Senator Baumgardner moved the Senate adopt the Conference Committee Report on **S Sub HB 2060**.

On roll call, the vote was: Yeas 32; Nays 3; Present and Passing 2; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeyes, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Gossage, Haley, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Holland, Olson, Sykes.

Present and Passing: Francisco, Ware.

Absent or Not Voting: Blasi, McGinn, Shallenburger.

The Conference Committee Report was adopted.

On motion of Senator Alley, the Senate recessed until the sound of the gavel.

The Senate met pursuant to recess with Vice President Wilborn in the chair.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 83** 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 12 through 30; following line 30, by inserting:

"WHEREAS, The legislature affirms that a quality, individualized education provides an essential pathway to success, not only for each student but for the prosperity and stability of the state; and

WHEREAS, Every child in Kansas is unique, with diverse learning needs and thus shall be granted educational opportunities and enrichment in a learning environment that best aligns with their needs; and

WHEREAS, The Kansas education enrichment program act affirms that equity in education means that all children shall receive the enrichment and instruction they need regardless of their socioeconomic status and racial or cultural background; and

WHEREAS, The Kansas education enrichment program act provides meaningful education enrichment and opportunity that lifts up children while simultaneously entrusting parents to direct the education of their children.";

On page 2, in line 1, by striking "\$592,740,238" and inserting "\$520,380,818"; in line 17, after "(b)" by inserting "There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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:

Special education and related services aid ARPA fund.....No limit

Provided, That expenditures shall be made from the special education and related services aid ARPA fund for payments and grants to school districts in amounts determined pursuant to and in accordance with the provisions of K.S.A. 72-3422 and

72-3425, and amendments thereto: *Provided however*, That no expenditure shall be made from such fund 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.

(c)";

Also on page 2, in line 26, by striking "10" and inserting "11"; in line 33, after the semicolon by inserting "one member appointed by the state department of education who is a professional in early childhood developmental services and provides services for a tiny-K program."; by striking all in lines 41 through 43;

By striking all on pages 3 through 16;

On page 17, by striking all in lines 1 through 16; following line 16, by inserting:

"New Sec. 2.

LEGISLATIVE COORDINATING COUNCIL

(a) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$25,359,420 from the legislature employment security fund of the legislative coordinating council to the special education and related services aid ARPA fund of the department of education.

New Sec. 3. (a) During fiscal year 2023, if any state agency has been transferred funds or been approved to use funds from the American rescue plan - state fiscal relief federal fund (252-00-3756) of the governor's department, as recommended by the strengthening people and revitalizing Kansas executive committee and authorized by the state finance council pursuant to section 28(d) of chapter 81 of the 2022 Session Laws of Kansas, for the purpose of establishing and maintaining a program that provides for individual learning loss grants to K-12 students with a focus on students in low-income families or in foster care, and such funds have not been expended or are not legally obligated to be expended pursuant to a signed agreement or contract, including any unencumbered funds, such state agency shall not expend or encumber any such funds: *Provided*, That on the effective date of this act, the approval by the state finance council pursuant to state finance council resolution 22-741 for allocations, expenditures and distributions for such learning loss program from the American rescue plan - state fiscal relief federal fund is hereby declared null and void and shall have no force and effect: *Provided further*, That on the effective date of this act, the authority of the state finance council, pursuant to section 28(d) of chapter 81 of the 2022 Session Laws of Kansas, to approve expenditures or obligations for such learning loss program is hereby declared null and void and shall have no force and effect: *And provided further*, That on July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$47,000,000 from the American rescue plan - state fiscal relief federal fund (252-00-3756) of the governor's department to the special education and related services ARPA fund of the department of education.

New Sec. 4. (a) Section 4 et seq., and amendments thereto, shall be known and may be cited as the Kansas education enrichment program act.

(b) As used in the Kansas education enrichment program act:

(1) "Award" means a Kansas education enrichment program award provided pursuant to section 7, and amendments thereto, to a qualified student who attends a public school.

(2) "BASE aid" means the same as defined in K.S.A. 72-5132, and amendments thereto, for the current school year.

(3) "Grant" means a Kansas education enrichment program grant established in an account on behalf of a qualified student pursuant to section 8, and amendments thereto.

(4) "Immediate family member" means a parent, sibling or any other relative of a qualified student who lives in the same residence as the qualified student.

(5) "Parent" means a Kansas resident who is the parent, stepparent, legal guardian, custodian or other person with authority to act on behalf of a qualified student.

(6) "Program" means the Kansas education enrichment program established pursuant to the Kansas education enrichment program act.

(7) "Qualified education service provider" means any business, organization or individual that provides educational goods or services that are authorized for purchase or reimbursement under the program. "Qualified education service provider" includes any school located in Kansas that is a nonpublic elementary or secondary school that has made application and received approval to be a qualified education service provider under the program.

(8) "Qualified student" means a resident of Kansas who:

(A) Is enrolled in and attending kindergarten or any of the grades one through 12 at any public or nonpublic elementary or secondary school located in this state; and

(B) (i) has a household family income of 250% or less of the federal poverty level;

(ii) attended a school building of a school district in the preceding school year that was closed by the school district pursuant to K.S.A. 72-1431, and amendments thereto, and the student is required to travel 15 miles or more from the student's residence to the school building that such student is assigned to attend in the current school year; or

(iii) has previously received a grant pursuant to the program and enters into a written agreement with the treasurer to receive a subsequent grant under the program.

(9) "School district" means a school district organized under the laws of this state.

(10) "Treasurer" means the state treasurer or the state treasurer's designee.

New Sec. 5. (a) The Kansas education enrichment program is hereby established to recognize the right of parents to choose the educational environment that best serves their children and to provide educational enrichment opportunities to students attending public and nonpublic schools throughout the state. The program shall be a continuation of and supplemental to the Kansas education enrichment program as approved by the state finance council in resolution No. 22-741.

(b) On July 1, 2023, all administrative functions, duties, liabilities, debts, rights and obligations relating to the Kansas education enrichment program approved by the state finance council in resolution No. 22-741 shall be transferred to and attach to the office of the state treasurer. Upon the transfer of such program to the office of the state treasurer, the treasurer shall maintain and be subject to the terms and conditions of any contract with a third-party vendor that was executed for purposes of the Kansas education enrichment program prior to the transfer.

(c) The Kansas education enrichment program shall provide the following two options for qualified students to access educational instructional and enrichment opportunities:

(1) For qualified students that will enroll in a public elementary or secondary school during the school year, a \$1,000 award per qualified student to pay for educational goods and services from a qualified education service provider as provided in section 7, and amendments thereto; and

(2) for qualified students that will enroll in a nonpublic elementary or secondary

school, a grant equal to 95% of the BASE aid amount for the applicable school year for the qualified student to pay for educational goods and services from a qualified education service provider as provided in section 8, and amendments thereto.

New Sec. 6. (a) The treasurer shall have the following powers and duties for administration of the Kansas education enrichment program:

- (1) Oversee and manage the program;
- (2) establish and administer grants and awards on behalf of qualified students participating in the program;
- (3) maintain and execute contracts as necessary to carry out the requirements of the program;
- (4) expend federal funds allocated to the program pursuant to section 5, and amendments thereto; and
- (5) exercise such other powers and perform such other functions and duties provided in the Kansas education enrichment program act.

(b) The treasurer shall:

- (1) Accept applications throughout the school year;
- (2) enroll a qualified student in the program after receipt of a completed application and any other required documentation;
- (3) notify parents of the student's enrollment in the program within 30 calendar days after receipt of completed application forms and other required documentation;
- (4) maintain an explanation of at least the following information on the treasurer's website and provide an electronic or paper copy of such information to any parent whose child is participating in the program:

(A) The allowable uses of money provided through an award or grant pursuant to the program;

(B) the responsibilities of a parent of a qualified student participating in the program; and

(C) the effect of participation in the program by qualified 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).

(c) The treasurer and parents may provide any notifications, applications or documents required by this act electronically. The treasurer shall confirm receipt of all such notifications whether provided by paper copy or electronically.

(d) The treasurer shall not disclose a qualified student's identification or distribute or release any personally identifiable data of a qualified student to a third party without the written consent of such student's parent. Written consent shall be obtained for each instance of such disclosure, distribution or release.

(e) The treasurer shall conduct or contract to conduct annual financial audits and random quarterly financial audits of awards and grants to ensure compliance with the Kansas education enrichment program. The treasurer shall determine the scope of any such audit and shall oversee any such audit.

(f) The treasurer may adopt rules and regulations to administer and implement the Kansas education enrichment program.

New Sec. 7. (a) To enroll in the program for the purpose of receiving a \$1,000 award for a student who attends a public school during the school year, the parent of a qualified student shall submit an application on a form and in a manner determined by the treasurer and enter into a written agreement with the treasurer in accordance with

this section.

(b) The written agreement for a qualified student who applies for an award shall provide the following:

(1) The award shall only be used to pay for educational goods and services from a qualified education service provider in accordance with this section; and

(2) a qualified student shall receive only one award and shall not be eligible for any subsequent award but shall continue to be eligible to receive a grant pursuant to section 8, and amendments thereto, except that the qualified student shall not receive a grant in the same school year that such qualified student received an award pursuant to this section.

(c) A parent shall only expend award moneys to pay for the following educational goods and services from a qualified education service provider:

(1) Day or overnight in-person camps that are primarily academic in nature and provide subjects related to the student's academic curriculum;

(2) online or in-person language classes offered by a licensed organization;

(3) purchases or rentals of instruments, purchases of sheet music, music books and music materials and music lessons;

(4) tutoring services provided by a tutor who is not an immediate family member of the qualified student;

(5) curriculum materials, school supplies and authorized educational technology devices; and

(6) any other educational goods or services authorized by the treasurer that is not prohibited pursuant to subsection (d).

(d) No award moneys shall be used for any of the following expenditures:

(1) Sporting goods or services, including sports camps;

(2) driver's education-related fees or services;

(3) non-academic lessons or courses including personal hygiene, self-care, self-esteem, or other non-academic lessons or courses;

(4) tuition or school registration fees;

(5) goods or services provided by immediate family members;

(6) field trips or admission tickets to museums, zoos, theaters, historical landmarks or other locations;

(7) fees associated with transportation services, including parking fees;

(8) clothing or uniforms;

(9) food or meals; or

(10) daycare services.

(e) Any award provided to a qualified student may be used by the parent in the online education marketplace established to pay for educational goods and services from a qualified education service provider. A parent shall submit a request to the treasurer to approve any expenditures that have not been pre-approved by the treasurer.

(f) Upon approval of a written agreement pursuant to this section, the treasurer shall authorize a \$1,000 award in the name of the qualified student.

(g) A written agreement entered into pursuant to this section shall have a term of 12 months. Such agreement may be suspended or terminated at any time upon a determination that:

(1) Moneys have been used for purposes other than those allowed under the program; or

(2) the student is no longer a resident of Kansas.

(h) A parent may terminate a written agreement at any time. To terminate a written agreement, the parent shall notify the treasurer in writing of such termination.

(i) When a written agreement is terminated, the treasurer shall terminate the award and transfer any remaining balance of such award moneys to the state general fund.

New Sec. 8. (a) To receive a Kansas education enrichment program grant to pay for educational goods and services from a qualified education service provider on behalf of a qualified student who attends a nonpublic school, the parent of a qualified student shall submit an application on a form and in a manner determined by the treasurer and enter into a written agreement with the treasurer in accordance with this section.

(b) The written agreement for a qualified student who seeks to receive a grant pursuant to the program shall provide the following:

(1) A portion of moneys shall be used to provide an education for the qualified student in at least the subjects of reading, grammar, mathematics, social studies and science;

(2) to receive grant moneys under the program, the qualified student shall not enroll full time in a school of a school district;

(3) no immediate family member of a qualified student may charge or collect payment, tuition or fees for tutoring or educational therapies or services provided to such qualified student;

(4) any grant moneys shall only be used by the parent of a qualified student to pay for educational goods and services from a qualified education service provider authorized pursuant to this section;

(5) any payments from grant moneys for a student's enrollment at a nonpublic school shall only be made to a qualified education service provider;

(6) the qualified student may accept a scholarship from a scholarship granting organization pursuant to the tax credit for low income students scholarship program act, K.S.A. 72-4351 et seq., and amendments thereto, if the qualified student meets the requirements of both programs; and

(7) the parent of a qualified student shall comply with all requirements of the program.

(c) A parent shall only expend grant moneys to pay for the following educational goods and services from a qualified education service provider:

(1) Enrollment costs charged by a qualified education service provider;

(2) textbooks and other supplies required by a qualified education service provider;

(3) educational therapies or services provided by a licensed provider;

(4) tutoring services provided by a tutor who is not an immediate family member of the qualified student;

(5) curriculum materials;

(6) uniforms if required for attendance;

(7) enrollment costs charged by an online learning program;

(8) contracted services from a public school district offered outside of the traditional school year and hours for students;

(9) fees for any nationally standardized norm-referenced achievement test, advanced placement examination or examination related to admission to a postsecondary institution;

(10) fees or costs required to apply for or acquire occupational licenses, certificates,

apprenticeships or other professional qualifications;

(11) fees for transportation services approved by the treasurer that are used for transportation to and from a qualified education service provider;

(12) computer hardware and technological devices primarily used for educational purposes, including personal computers, laptops, tablet devices, microscopes, telescopes and printers; and

(13) any other educational goods or services approved by the treasurer.

(d) Moneys provided through a grant under the program shall not be expended for the following:

(1) Sporting goods or services, including sports camps; or

(2) for qualified students schooled at home, goods or services provided by an immediate family member.

(e) Upon approval of the applicable written agreement to receive a grant, the treasurer shall authorize such grant amount in the name of the qualified student. To continue receiving grant moneys, the parent of a qualified student shall renew the qualified student's written agreement on an annual basis. Only one grant shall be provided to each qualified student per school year. A parent acting on behalf of more than one qualified student shall have a separate written agreement for each qualified student.

(f) The treasurer may suspend or terminate a written agreement at any time upon a determination that:

(1) Moneys have been used for purposes other than those allowed under the program; or

(2) the student is no longer a resident of Kansas.

(g) A parent may terminate a written agreement at any time. To terminate a written agreement, the parent shall notify the treasurer in writing of such termination.

(h) When a written agreement is terminated, the treasurer shall terminate the grant and transfer any remaining balance of such grant moneys to the state general fund.

(i) Each written agreement entered into pursuant to this section shall have a term of 12 months. Each qualified student's grant moneys shall remain active until:

(1) A written agreement is terminated;

(2) a parent does not renew the qualified student's written agreement;

(3) the student enrolls in a school district on a full-time basis;

(4) the student is no longer a qualified student under the program; or

(5) moneys have been used for purposes other than those allowed under the program.

(j) When the treasurer determines that a written agreement is no longer active, the treasurer shall terminate the grant and transfer any remaining balance of such grant moneys to the state general fund.

(k) Any unencumbered grant moneys that have not been expended on behalf of a qualified student at the end of a school year shall roll over to the next succeeding school year if the student and parent of the student renew a written agreement to continue to receive a grant and participate in the program pursuant to this section.

(l) The treasurer shall not allow any personal deposits to be made to a grant account on behalf of a qualified student.

(m) The treasurer may refer cases of fraudulent or substantial misuse of moneys to the attorney general for purposes of collection or criminal investigation.

New Sec. 9. (a) (1) There is hereby established in the state treasury the Kansas education enrichment program fund to be administered by the treasurer. Moneys in the Kansas education enrichment program fund shall be expended only for the purposes established in the Kansas education enrichment program act. All moneys received pursuant to subsection (b) 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 education enrichment program fund.

(2) On or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the Kansas education enrichment program fund interest earnings based on:

(1) The average daily balance of moneys in the Kansas education enrichment program fund; and

(2) the net earnings rate of the pooled money investment portfolio for the preceding month.

(b) Notwithstanding the provisions of the Kansas education enrichment program established pursuant to state finance council resolution No. 22-741, of the \$50,000,000 state fiscal recovery funds of the American rescue plan act of 2021, public law 117-2, allocated by the state finance council for the purposes of the Kansas education enrichment program, or any other federal funds identified and approved for such purposes, the state treasurer shall make expenditures of such federal funds to administer the Kansas education enrichment program to provide awards pursuant to section 7, and amendments thereto, and grants pursuant to section 8, and amendments thereto, to qualified students.

(c) On or before the first day of each month, the treasurer shall determine whether the total amount of the federal fiscal recovery funds of the American rescue plan act of 2021, public law 117-2, and any other federal funds identified and made available for the purposes of the program are insufficient to continue to provide the awards and grants on behalf of qualified students pursuant to the program. If the treasurer determines that the amount of such federal funds is insufficient for such purposes, the treasurer shall certify such fact to the director of the budget. On and after such certification, the treasurer shall determine annually the total amount to be transferred to the Kansas education enrichment program fund by multiplying an amount equal to the BASE aid by the total number of qualified students participating in the program pursuant to section 8, and amendments thereto, and by multiplying \$1,000 by the number of qualified students who will receive an award under the program for the succeeding school year pursuant to section 7, and amendments thereto. The treasurer shall certify the resulting total amount to the director of accounts and reports on or before August 1 of each year. Upon receipt of such certification, the director of accounts and reports shall transfer such certified amount from the state general fund to the Kansas education enrichment program fund. Transfers made in accordance with this section shall be considered demand transfers from the state general fund.

(d) (1) Except as provided in paragraph (2), if a qualified student has entered into a written agreement pursuant to section 8, and amendments thereto, the treasurer shall allocate to a qualified student a grant equal to 95% of the BASE aid.

(2) If a qualified student enrolls in a school district on a part-time basis, such qualified student or such student's parent shall notify the treasurer, who shall prorate the grant amount allocated pursuant to paragraph (1).

(3) The treasurer may deduct 5% of the BASE aid per qualified student participating in the program as reimbursement for the costs of administering the program.

(e) If a qualified student has been approved to receive an award pursuant to section 7, and amendments thereto, the treasurer shall allocate \$1,000 per qualified student to pay for educational goods and services from a qualified education service provider as provided in section 7, and amendments thereto, in accordance with the provisions of the program for the school year that such student was approved to receive the award.

(f) During each regular legislative session, the treasurer shall provide to the legislature an estimate of the amount required to fund the awards and grants for the next succeeding fiscal year.

New Sec. 10. (a) Nothing in the Kansas education enrichment program act shall be construed to permit any governmental agency to exercise control or supervision over any nonpublic school or home school. Any nonpublic school, home school or tutor that accepts a payment from a parent of a qualified student participating in the program is not an agent of this state.

(b) The content or religious nature of a product or service may not be considered when determining whether payment for such product or service is an allowable expenditure.

(c) If the parent of a qualified student who is schooled at home makes application to enroll in the Kansas educational enrichment program, such application does not constitute registration pursuant to K.S.A. 72-4346, and amendments thereto. Nothing in the Kansas education enrichment program act shall be construed to require a parent to register with the state department of education pursuant to K.S.A. 72-4346, and amendments thereto.

(d) The state department of education shall include information about the program on the department's homepage and provide a link on such homepage to the information provided by the treasurer regarding the program.";

On page 18, in line 12, by striking all after "student"; in line 13, by striking all before "pursuant" and inserting "who is receiving a grant pursuant to the Kansas education enrichment program established"; also in line 13, by striking "2" and inserting "4";

By striking all on pages 21 through 27;

On page 28, by striking all in lines 1 through 40; in line 41, by striking "and 72-5132 are" and inserting "is";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, by striking all after "the"; by striking all in lines 4 through 8; in line 9, by striking all before the semicolon and inserting "Kansas education enrichment program; authorizing educational award moneys to certain students who attend public schools and educational grant moneys to certain students who attend nonpublic schools; establishing the Kansas education enrichment program fund; requiring certain transfers thereto"; in line 10, by striking "and 72-5132"; also in line 10, by striking "sections" and inserting "section";

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

KRISTEY WILLIAMS

BRENDA LANDWEHR

VALDENIA WINN

Conferees on part of House

MOLLY BAUMGARDNER
RENEE ERICKSON

Conferees on part of Senate

The motion of Senator Baumgardner to adopt the conference committee report on **H Sub SB 83** failed.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 17; Nays 20; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Claeys, Erickson, Fagg, Gossage, Haley, Kerschen, Kloos, Masterson, Peck, Petersen, Steffen, Straub, Tyson, Warren, Wilborn.

Nays: Billinger, Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Holland, Holscher, Longbine, O'Shea, Olson, Pettey, Pittman, Pyle, Reddi, Ryckman, Sykes, Thompson, Ware.

Absent or Not Voting: Blasi, McGinn, Shallenburger.

The Conference Committee Report was not adopted.

The Call was lifted.

Senator Sykes having voted on the prevailing side, moved to reconsider previous action on **H Sub SB 83**. Motion failed.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 169** 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 (Corrected) amendments, as follows:

On page 1, by striking all in lines 21 through 35;

On page 2, by striking all in lines 1 through 15; in line 21, by striking "\$80,000" and inserting "\$60,000"; in line 39, by striking "years prior to tax"; also in line 39, by striking "2024" and inserting "2023"; in line 40, by striking "and"; in line 41, by striking "and all tax years thereafter,;" in line 42, by striking "1.625%" and inserting "1.94%"; following line 42, by inserting:

"(C) for tax year 2025, and all tax years thereafter, the normal tax shall be an amount equal to 1.63% of such net income; and";

On page 3, in line 13, by striking "years prior to tax"; also in line 13, by striking "2024" and inserting "2023"; in line 15, by striking "and"; in line 16, by striking "and all tax years thereafter,;" in line 18, by striking "1.61%" and inserting "1.93%"; following line 18, by inserting:

"(C) for tax year 2025, and all tax years thereafter, the normal tax shall be an amount equal to 1.61% of such net income; and";

On page 5, in line 21, by striking "5.25%" and inserting "5.15%"; in line 34, by striking all after "follows"; by striking all in line 35; in line 36, by striking "thereto";

On page 6, by striking all in lines 20 through 43;

By striking all on pages 7 through 15;

On page 16, by striking all in lines 1 through 13; following line 13, by inserting:

"Sec. 5. K.S.A. 2022 Supp. 79-32,117, as amended by section 5 of 2023 House Bill

No. 2197, 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 subsection (c)(xv) 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 individual 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. 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. 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. 72-4357, 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.

(xxviii) For all taxable years beginning after December 31, 2021, the amount of any contributions to, or earnings from, a first-time home buyer savings account if distributions from the account were not used to pay for expenses or transactions authorized pursuant to K.S.A. 2022 Supp. 58-4904, and amendments thereto, or were not held for the minimum length of time required pursuant to K.S.A. 2022 Supp. 58-4904, and amendments thereto. Contributions to, or earnings from, such account shall also include any amount resulting from the account holder not designating a surviving payable on death beneficiary pursuant to K.S.A. 2022 Supp. 58-4904(e), and amendments thereto.

(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, 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 (A) For all taxable years beginning after December 31, 2007, and ending before January 1, 2023, 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.~~

(B) For all taxable years beginning after December 31, 2022, amounts received as benefits under the federal social security act that are included in federal adjusted gross income of a taxpayer whether a taxpayer's filing status is single, head of household, married filing separate or married filing jointly, and the amount of the subtraction modification provided by this paragraph shall be calculated as follows:

Subtraction modification = social security income x social security taxable rate.

For purposes of this subparagraph:

(1) Social security income is the amount of benefits received under the social security act and included in federal adjusted gross income; and

(2) social security taxable rate shall be determined as follows:

(a) For taxpayers with federal adjusted gross income of \$75,000 or less, then the social security taxable rate is 1;

(b) for taxpayers with federal adjusted gross income greater than \$75,000 and less than the threshold, then the social security taxable rate shall be calculated as: $1 - ((\text{federal adjusted gross income} - 75,000) / \text{denominator})$; and

(c) for taxpayers with federal adjusted gross income equal to or greater than the threshold, then the social security taxable rate is 0.

(d) (i) "Denominator" is equal to 25,000 for tax year 2023 and increases by 5,000 for each tax year thereafter.

(ii) "Threshold" is equal to \$100,000 for tax year 2023 and increases by \$5,000 for each tax year thereafter.

(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.

(xxviii) For all taxable years beginning after December 31, 2021: (1) The amount contributed to a first-time home buyer savings account pursuant to K.S.A. 2022 Supp. 58-4903, and amendments thereto, in an amount not to exceed \$3,000 for an individual or \$6,000 for a married couple filing a joint return; or (2) amounts received as income earned from assets in a first-time home buyer savings account.

(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.:"

Also on page 16, in line 30, by striking the first "years" and inserting "year"; also in line 30, by striking "and 2022"; in line 35, by striking all after "(3)"; by striking all in lines 36 through 39; in line 40, by striking "(B)"; in line 41, by striking "this"; also in line 41, after "paragraph" by inserting "(2)";

On page 17, in line 10, by striking "2023" and inserting "2024";

On page 18, in line 38, by striking "July" and inserting "January"; also in line 38, by striking "2023" and inserting "2024";

On page 24, in line 10, by striking "July" and inserting "January"; also in line 10, by striking "2023" and inserting "2024";

On page 25, in line 11, by striking "July" and inserting "January"; also in line 11, by striking "2023" and inserting "2024";

On page 26, in line 33, by striking "July" and inserting "January"; also in line 33, by striking "2023" and inserting "2024";

On page 27, in line 29, by striking "July" and inserting "January"; also in line 29, by striking "2023" and inserting "2024";

On page 28, in line 39, after "79-32,117," by inserting "as amended by section 5 of 2023 House Bill No. 2197,"; in line 42, by striking "Kansas register" and inserting "statute book";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "5.25%" and inserting "5.15%"; in line 6, by striking all after the semicolon; by striking all in lines 7 and 8; in line 9, by striking all after "deduction"; in line 10, by striking "increasing"; in line 16, by striking "74-50,321,"; also in line 16, after "79-32,117," by inserting "as amended by section 5 of 2023 House Bill No. 2197,"; in line 18, after "sections" by inserting "; also repealing K.S.A. 2022 Supp. 74-50,321";

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

ADAM SMITH

BRIAN BERGKAMP

Conferees on part of House

CARYN TYSON

VIRGIL PECK

Conferees on part of Senate

Senator Tyson moved the Senate adopt the Conference Committee Report on **H Sub SB 169**.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 24; Nays 13; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Absent or Not Voting: Blasi, McGinn, Shallenburger.

The Conference Committee Report was adopted.

The Call was lifted.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2002** 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 17 through 34;

By striking all on pages 2 through 15;

On page 16, by striking all in lines 1 through 7 and inserting:

"New Section 1. On and after January 1, 2024, for any warrant issued by the secretary of revenue, or the secretary's designee, that is the result of the taxpayer's failure to pay a tax owed to the state of Kansas, the secretary shall file a release of such warrant in the county where such warrant is docketed upon the taxpayer's full payment of the tax owed, including any interest, penalty and fees required for the filing and release or satisfaction of the warrant.

Sec. 2. K.S.A. 12-187 is hereby amended to read as follows: 12-187. (a) No city shall impose a retailers' sales tax under the provisions of this act without the governing

body of such city having first submitted such proposition to and having received the approval of a majority of the electors of the city voting thereon at an election called and held therefor. The governing body of any city may submit the question of imposing a retailers' sales tax and the governing body shall be required to submit the question upon submission of a petition signed by electors of such city equal in number to not less than 10% of the electors of such city.

(b) (1) The board of county commissioners of any county may submit the question of imposing a countywide retailers' sales tax to the electors at an election called and held thereon, and any such board shall be required to submit the question upon submission of a petition signed by electors of such county equal in number to not less than 10% of the electors of such county who voted at the last preceding general election for the office of secretary of state, or upon receiving resolutions requesting such an election passed by not less than $\frac{2}{3}$ of the membership of the governing body of each of one or more cities within such county that contains a population of not less than 25% of the entire population of the county, or upon receiving resolutions requesting such an election passed by $\frac{2}{3}$ of the membership of the governing body of each of one or more taxing subdivisions within such county that levy not less than 25% of the property taxes levied by all taxing subdivisions within the county.

(2) The board of county commissioners of Anderson, Atchison, Barton, Brown, Butler, Chase, Cowley, Cherokee, Crawford, Ford, Franklin, Grant, Jefferson, Linn, Lyon, Marion, Miami, Montgomery, Neosho, Osage, Ottawa, Reno, Riley, Saline, Seward, Sumner, Thomas, Wabaunsee, Wilson and Wyandotte counties may submit the question of imposing a countywide retailers' sales tax and pledging the revenue received therefrom for the purpose of financing the construction or remodeling of a courthouse, jail, law enforcement center facility or other county administrative facility, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire when sales tax sufficient to pay all of the costs incurred in the financing of such facility has been collected by retailers as determined by the secretary of revenue. Nothing in this paragraph shall be construed to allow the rate of tax imposed by Butler, Chase, Cowley, Lyon, Montgomery, Neosho, Riley, Sumner or Wilson county pursuant to this paragraph to exceed or be imposed at any rate other than the rates prescribed in K.S.A. 12-189, and amendments thereto.

(3) (A) Except as otherwise provided in this paragraph, the result of the election held on November 8, 1988, on the question submitted by the board of county commissioners of Jackson county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing the Banner Creek reservoir project. The tax imposed pursuant to this paragraph shall take effect on the effective date of this act and shall expire not later than five years after such date.

(B) The result of the election held on November 8, 1994, on the question submitted by the board of county commissioners of Ottawa county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing the erection, construction and furnishing of a law enforcement center and jail facility.

(C) Except as otherwise provided in this paragraph, the result of the election held on November 2, 2004, on the question submitted by the board of county commissioners of Sedgwick county for the purpose of increasing its countywide retailers' sales tax by

1% is hereby declared valid, and the revenue received therefrom by the county shall be used only to pay the costs of: (i) Acquisition of a site and constructing and equipping thereon a new regional events center, associated parking and infrastructure improvements and related appurtenances thereto, to be located in the downtown area of the city of Wichita, Kansas, (the "downtown arena"); (ii) design for the Kansas coliseum complex and construction of improvements to the pavilions; and (iii) establishing an operating and maintenance reserve for the downtown arena and the Kansas coliseum complex. The tax imposed pursuant to this paragraph shall commence on July 1, 2005, and shall terminate not later than 30 months after the commencement thereof.

(D) Except as otherwise provided in this paragraph, the result of the election held on August 5, 2008, on the question submitted by the board of county commissioners of Lyon county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received therefrom by the county shall be expended for the purposes of ad valorem tax reduction and capital outlay. The tax imposed pursuant to this paragraph shall terminate not later than five years after the commencement thereof.

(E) Except as otherwise provided in this paragraph, the result of the election held on August 5, 2008, on the question submitted by the board of county commissioners of Rawlins county for the purpose of increasing its countywide retailers' sales tax by 0.75% is hereby declared valid, and the revenue received therefrom by the county shall be expended for the purposes of financing the costs of a swimming pool. The tax imposed pursuant to this paragraph shall terminate not later than 15 years after the commencement thereof or upon payment of all costs authorized pursuant to this paragraph in the financing of such project.

(F) The result of the election held on December 1, 2009, on the question submitted by the board of county commissioners of Chautauqua county for the purpose of increasing its countywide retailers' sales tax by 1% is hereby declared valid, and the revenue received from such tax by the county shall be expended for the purposes of financing the costs of constructing, furnishing and equipping a county jail and law enforcement center and necessary improvements appurtenant to such jail and law enforcement center. Any tax imposed pursuant to authority granted in this paragraph shall terminate upon payment of all costs authorized pursuant to this paragraph incurred in the financing of the project described in this paragraph.

(G) The result of the election held on April 7, 2015, on the question submitted by the board of county commissioners of Bourbon county for the purpose of increasing its retailers' sales tax by 0.4% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing the costs of constructing, furnishing and operating a courthouse, law enforcement center or jail facility improvements. Any tax imposed pursuant to authority granted in this paragraph shall terminate upon payment of all costs authorized pursuant to this paragraph incurred in the financing of the project described in this paragraph.

(H) The result of the election held on November 7, 2017, on the question submitted by the board of county commissioners of Finney county for the purpose of increasing its countywide retailers' sales tax by 0.3% is hereby declared valid, and the revenues of such tax shall be used by Finney county and the city of Garden City, Kansas, as agreed in an interlocal cooperation agreement between the city and county, and as detailed in

the ballot question approved by voters. The tax imposed pursuant to this subparagraph shall be levied for a period of 15 years from the date it is first levied.

(1) The result of the election held on November 3, 2020, on the question submitted by the board of county commissioners of Cherokee county for the purpose of increasing its retailers' sales tax by 0.5% is hereby declared valid, and the revenue received therefrom by the county shall be expended solely for the purpose of financing: (i) Ambulance services within the county; (ii) renovations and maintenance of county buildings and facilities; or (iii) any other projects within the county deemed necessary by the governing body of Cherokee county. The tax imposed pursuant to this subparagraph shall terminate prior to January 1, 2033.

(4) The board of county commissioners of Finney and Ford counties may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing all or any portion of the cost to be paid by Finney or Ford county for construction of highway projects identified as system enhancements under the provisions of K.S.A. 68-2314(b)(5), and amendments thereto, to the electors at an election called and held thereon. Such election shall be called and held in the manner provided by the general bond law. The tax imposed pursuant to this paragraph shall expire upon the payment of all costs authorized pursuant to this paragraph in the financing of such highway projects. Nothing in this paragraph shall be construed to allow the rate of tax imposed by Finney or Ford county pursuant to this paragraph to exceed the maximum rate prescribed in K.S.A. 12-189, and amendments thereto. If any funds remain upon the payment of all costs authorized pursuant to this paragraph in the financing of such highway projects in Finney county, the state treasurer shall remit such funds to the treasurer of Finney county and upon receipt of such moneys shall be deposited to the credit of the county road and bridge fund. If any funds remain upon the payment of all costs authorized pursuant to this paragraph in the financing of such highway projects in Ford county, the state treasurer shall remit such funds to the treasurer of Ford county and upon receipt of such moneys shall be deposited to the credit of the county road and bridge fund.

(5) The board of county commissioners of any county may submit the question of imposing a retailers' sales tax at the rate of 0.25%, 0.5%, 0.75% or 1% and pledging the revenue received therefrom for the purpose of financing the provision of health care services, as enumerated in the question, to the electors at an election called and held thereon. Whenever any county imposes a tax pursuant to this paragraph, any tax imposed pursuant to subsection (a)(2) by any city located in such county shall expire upon the effective date of the imposition of the countywide tax, and thereafter the state treasurer shall remit to each such city that portion of the countywide tax revenue collected by retailers within such city as certified by the director of taxation. The tax imposed pursuant to this paragraph shall be deemed to be in addition to the rate limitations prescribed in K.S.A. 12-189, and amendments thereto. As used in this paragraph, health care services shall include, but not be limited to, the following: Local health departments, city or county hospitals, city or county nursing homes, preventive health care services including immunizations, prenatal care and the postponement of entry into nursing homes by home care services, mental health services, indigent health care, physician or health care worker recruitment, health education, emergency medical services, rural health clinics, integration of health care services, home health services and rural health networks.

(6) The board of county commissioners of Allen county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of operation and construction of a solid waste disposal area or the modification of an existing landfill to comply with federal regulations to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon the payment of all costs incurred in the financing of the project undertaken. Nothing in this paragraph shall be construed to allow the rate of tax imposed by Allen county pursuant to this paragraph to exceed or be imposed at any rate other than the rates prescribed in K.S.A. 12-189, and amendments thereto.

(7) (A) The board of county commissioners of Clay and Miami county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.50% in the case of Clay county and at a rate of up to 1% in the case of Miami county, and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. Except as otherwise provided, the tax imposed pursuant to this subparagraph shall expire after five years from the date such tax is first collected. The result of the election held on November 2, 2004, on the question submitted by the board of county commissioners of Miami county for the purpose of extending for an additional five-year period the countywide retailers' sales tax imposed pursuant to this subsection in Miami county is hereby declared valid. The countywide retailers' sales tax imposed pursuant to this subsection in Clay and Miami county may be extended or reenacted for additional five-year periods upon the board of county commissioners of Clay and Miami county submitting such question to the electors at an election called and held thereon for each additional five-year period as provided by law.

(B) The board of county commissioners of Dickinson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this subparagraph shall expire after 10 years from the date such tax is first collected.

(8) The board of county commissioners of Sherman county may submit the question of imposing a countywide retailers' sales tax at the rate of 1% and pledging the revenue received therefrom for the purpose of financing the costs of street and roadway improvements to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized pursuant to this paragraph in the financing of such project.

(9) (A) The board of county commissioners of Cowley, Crawford and Woodson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% in the case of Crawford and Woodson county and at a rate of up to 0.25%, in the case of Cowley county and pledging the revenue received therefrom for the purpose of financing economic development initiatives or public infrastructure projects. The tax imposed pursuant to this subparagraph shall expire after five years from the date such tax is first collected.

(B) The board of county commissioners of Russell county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing economic development

initiatives or public infrastructure projects. The tax imposed pursuant to this subparagraph shall expire after 10 years from the date such tax is first collected.

(10) The board of county commissioners of Franklin county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing recreational facilities. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such facilities.

(11) The board of county commissioners of Douglas county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purposes of conservation, access and management of open space; preservation of cultural heritage; and economic development projects and activities.

(12) The board of county commissioners of Shawnee county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom to the city of Topeka for the purpose of financing the costs of rebuilding the Topeka boulevard bridge and other public infrastructure improvements associated with such project to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such project.

(13) The board of county commissioners of Jackson county may submit the question of imposing a countywide retailers' sales tax at a rate of 0.4% and pledging the revenue received therefrom for the purpose of financing public infrastructure projects to the electors at an election called and held thereon. Such tax shall expire after seven years from the date such tax is first collected.

(14) The board of county commissioners of Neosho county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized pursuant to this paragraph in the financing of such project.

(15) The board of county commissioners of Saline county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of construction and operation of an expo center to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after five years from the date such tax is first collected.

(16) The board of county commissioners of Harvey county may submit the question of imposing a countywide retailers' sales tax at the rate of 1.0% and pledging the revenue received therefrom for the purpose of financing the costs of property tax relief, economic development initiatives and public infrastructure improvements to the electors at an election called and held thereon.

(17) The board of county commissioners of Atchison county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing the costs of construction and maintenance of sports and recreational facilities to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such facilities.

(18) The board of county commissioners of Wabausee county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of bridge and roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 15 years from the date such tax is first collected. On and after July 1, 2019, the countywide retailers' sales tax imposed pursuant to this paragraph may be extended or reenacted for one additional period not to exceed 15 years upon the board of county commissioners of Wabausee county submitting such question to the electors at an election called and held thereon as provided by law. For any countywide retailers' sales tax that is extended or reenacted pursuant to this paragraph, such tax shall expire not later than 15 years from the date such tax is first collected.

(19) The board of county commissioners of Jefferson county may submit the question of imposing a countywide retailers' sales tax at the rate of 1% and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after six years from the date such tax is first collected. The countywide retailers' sales tax imposed pursuant to this paragraph may be extended or reenacted for additional six-year periods upon the board of county commissioners of Jefferson county submitting such question to the electors at an election called and held thereon for each additional six-year period as provided by law.

(20) The board of county commissioners of Riley county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 1% and pledging the revenue received therefrom for the purpose of financing the costs of bridge and roadway construction and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after five years from the date such tax is first collected.

(21) The board of county commissioners of Johnson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing the construction and operation costs of public safety projects, including, but not limited to, a jail, detention center, sheriff's resource center, crime lab or other county administrative or operational facility dedicated to public safety, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 10 years from the date such tax is first collected. The countywide retailers' sales tax imposed pursuant to this subsection may be extended or reenacted for additional periods not exceeding 10 years upon the board of county commissioners of Johnson county submitting such question to the electors at an election called and held thereon for each additional ten-year period as provided by law.

(22) The board of county commissioners of Wilson county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 1% and pledging the revenue received therefrom for the purpose of financing the costs of roadway construction and improvements to federal highways, the development of a new industrial park and other public infrastructure improvements to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized pursuant to this paragraph in the financing

of such project or projects.

(23) The board of county commissioners of Butler county may submit the question of imposing a countywide retailers' sales tax at the rate of either 0.25%, 0.5%, 0.75% or 1% and pledging the revenue received therefrom for the purpose of financing the costs of public safety capital projects or bridge and roadway construction projects, or both, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such projects.

(24) The board of county commissioners of Barton county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of roadway and bridge construction and improvement and infrastructure development and improvement to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 10 years from the date such tax is first collected.

(25) The board of county commissioners of Jefferson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing the costs of the county's obligation as participating employer to make employer contributions and other required contributions to the Kansas public employees retirement system for eligible employees of the county who are members of the Kansas police and firemen's retirement system, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such purpose.

(26) The board of county commissioners of Pottawatomie county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of construction or remodeling of a courthouse, jail, law enforcement center facility or other county administrative facility, or public infrastructure improvements, or both, to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon payment of all costs authorized in financing such project or projects.

(27) The board of county commissioners of Kingman county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25%, 0.5%, 0.75% or 1% and pledging the revenue received therefrom for the purpose of financing the costs of constructing and furnishing a law enforcement center and jail facility and the costs of roadway and bridge improvements to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire not later than 20 years from the date such tax is first collected.

(28) The board of county commissioners of Edwards county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.375% and pledging the revenue therefrom for the purpose of financing the costs of economic development initiatives to the electors at an election called and held thereon.

(29) The board of county commissioners of Rooks county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue therefrom for the purpose of financing the costs of constructing or remodeling and furnishing a jail facility to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire upon the payment of all costs authorized in financing such project or projects.

(30) The board of county commissioners of Douglas county may submit the

question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the construction or remodeling of a courthouse, jail, law enforcement center facility, detention facility or other county administrative facility, specifically including mental health and for the operation thereof.

(31) The board of county commissioners of Bourbon county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 1%, in increments of 0.05%, and pledging the revenue received therefrom for the purpose of financing the costs of constructing, furnishing and operating a courthouse, law enforcement center or jail facility improvements to the electors at an election called and held thereon.

(32) The board of county commissioners of Marion county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.5% and pledging the revenue received therefrom for the purpose of financing the costs of property tax relief, economic development initiatives and the construction of public infrastructure improvements, including buildings, to the electors at an election called and held thereon.

(33) The board of county commissioners of Wilson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25%, 0.5%, 0.75% or 1% and pledging the revenue received therefrom for the purpose of supporting emergency medical and ambulance services in the county to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 10 years from the date such tax is first collected. The countywide retailers' sales tax imposed pursuant to this paragraph may be extended or reenacted for additional periods not exceeding 10 years per period upon the board of county commissioners of Wilson county submitting such question to the electors at an election called and held thereon for each additional period as provided by law. This paragraph shall not be construed to cause the expiration, repeal or termination of any existing city retailers' sales tax for health care services as defined in paragraph (5).

(34) The board of county commissioners of Atchison county may submit the question of imposing a countywide retailers' sales tax at the rate of up to 1% and pledging the revenue received for the purpose of joint law enforcement communications and solid waste disposal in Atchison county to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after 10 years from the date such tax is first collected.

(35) The board of county commissioners of Dickinson county may submit the question of imposing a countywide retailers' sales tax at the rate of 0.25% and pledging the revenue received therefrom for the purpose of financing the costs of public safety capital projects to the electors at an election called and held thereon. The tax imposed pursuant to this paragraph shall expire after five years from the date such tax is first collected. The countywide retailers' sales tax imposed pursuant to this paragraph may be extended or reenacted for additional five-year periods upon the board of county commissioners of Dickinson county submitting such question to the electors at an election called and held thereon for each additional five-year period as provided by law.

(c) The boards of county commissioners of any two or more contiguous counties, upon adoption of a joint resolution by such boards, may submit the question of imposing a retailers' sales tax within such counties to the electors of such counties at an

election called and held thereon and such boards of any two or more contiguous counties shall be required to submit such question upon submission of a petition in each of such counties, signed by a number of electors of each of such counties where submitted equal in number to not less than 10% of the electors of each of such counties who voted at the last preceding general election for the office of secretary of state, or upon receiving resolutions requesting such an election passed by not less than $\frac{2}{3}$ of the membership of the governing body of each of one or more cities within each of such counties that contains a population of not less than 25% of the entire population of each of such counties, or upon receiving resolutions requesting such an election passed by $\frac{2}{3}$ of the membership of the governing body of each of one or more taxing subdivisions within each of such counties that levy not less than 25% of the property taxes levied by all taxing subdivisions within each of such counties.

(d) Notwithstanding any provision of law to the contrary, including subsection (b) (5), any city retailers' sales tax being levied by a city prior to July 1, 2006, shall continue in effect until repealed in the manner provided herein for the adoption and approval of such tax or until repealed by the adoption of an ordinance for such repeal. Any countywide retailers' sales tax in the amount of 0.5% or 1% in effect on July 1, 1990, shall continue in effect until repealed in the manner provided herein for the adoption and approval of such tax.

(e) Any city or county proposing to adopt a retailers' sales tax shall give notice of its intention to submit such proposition for approval by the electors in the manner required by K.S.A. 10-120, and amendments thereto. The notices shall state the time of the election and the rate and effective date of the proposed tax. If a majority of the electors voting thereon at such election fail to approve the proposition, such proposition may be resubmitted under the conditions and in the manner provided in this act for submission of the proposition. If a majority of the electors voting thereon at such election shall approve the levying of such tax, the governing body of any such city or county shall provide by ordinance or resolution, as the case may be, for the levy of the tax. Any repeal of such tax or any reduction or increase in the rate thereof, within the limits prescribed by K.S.A. 12-189, and amendments thereto, shall be accomplished in the manner provided herein for the adoption and approval of such tax except that the repeal of any such city retailers' sales tax may be accomplished by the adoption of an ordinance so providing.

(f) The sufficiency of the number of signers of any petition filed under this section shall be determined by the county election officer. Every election held under this act shall be conducted by the county election officer.

(g) (1) The governing body of the city or county proposing to levy any retailers' sales tax shall specify the purpose or purposes for which the revenue would be used, and a statement generally describing such purpose or purposes shall be included as a part of the ballot proposition.

(2) In addition to the requirements set forth in paragraph (1), the governing body of the county proposing to levy a countywide retailers' sales tax shall include as a part of the ballot proposition whether:

(A) The apportionment formula provided in K.S.A. 12-192, and amendments thereto, will apply to the revenue;

(B) an interlocal agreement was entered whereby the county will retain either all or part of the revenue; or

(C) pursuant to law, the county retains the revenue in its entirety.

Sec. 3. K.S.A. 12-189 is hereby amended to read as follows: 12-189. The rate of any city retailers' sales tax shall be fixed in increments of 0.05% and in an amount not to exceed 2% for general purposes and not to exceed 1% for special purposes, which shall be determined by the governing body of the city. For any retailers' sales tax imposed by a city for special purposes, such city shall specify the purposes for which such tax is imposed. All such special purpose retailers' sales taxes imposed by a city shall expire after 10 years from the date such tax is first collected. The rate of any countywide retailers' sales tax shall be fixed in an amount not to exceed 1% and shall be fixed in increments of 0.25%, and which amount shall be determined by the board of county commissioners, except that:

(a) The board of county commissioners of Wabaunsee county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.25%; the board of county commissioners of Osage or Reno county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.25% or 1.5%; the board of county commissioners of Cherokee, Crawford, Ford, Saline, Seward or Wyandotte county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.5%; the board of county commissioners of Atchison or Thomas county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 1.5% or 1.75%; the board of county commissioners of Anderson, Barton, Jefferson or Ottawa county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 2%; the board of county commissioners of Marion county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at 2.5%; the board of county commissioners of Franklin, Linn and Miami counties, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by the respective board of county commissioners on July 1, 2007, plus up to 1.0%; and the board of county commissioners of Brown or Grant county, for the purposes of K.S.A. 12-187(b)(2), and amendments thereto, may fix such rate at up to 2%;

(b) the board of county commissioners of Jackson county, for the purposes of K.S.A. 12-187(b)(3), and amendments thereto, may fix such rate at 2%;

(c) the boards of county commissioners of Finney and Ford counties, for the purposes of K.S.A. 12-187(b)(4), and amendments thereto, may fix such rate at 0.25%;

(d) the board of county commissioners of any county, for the purposes of K.S.A. 12-187(b)(5), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by a board of county commissioners on the effective date of this act plus 0.25%, 0.5%, 0.75% or 1%, as the case requires;

(e) the board of county commissioners of Dickinson county, for the purposes of K.S.A. 12-187(b)(7), and amendments thereto, may fix such rate at 1.5%, and the board of county commissioners of Miami county, for the purposes of K.S.A. 12-187(b)(7), and amendments thereto, may fix such rate at 1.25%, 1.5%, 1.75% or 2%;

(f) the board of county commissioners of Sherman county, for the purposes of K.S.A. 12-187(b)(8), and amendments thereto, may fix such rate at 2.25%;

(g) the board of county commissioners of Crawford or Russell county for the purposes of K.S.A. 12-187(b)(9), and amendments thereto, may fix such rate at 1.5%;

(h) the board of county commissioners of Franklin county, for the purposes of K.S.A. 12-187(b)(10), and amendments thereto, may fix such rate at 1.75%;

- (i) the board of county commissioners of Douglas county, for the purposes of K.S.A. 12-187(b)(11) and (b)(30), and amendments thereto, may fix such rate at 1.75%;
- (j) the board of county commissioners of Jackson county, for the purposes of K.S.A. 12-187(b)(13), and amendments thereto, may fix such rate at 1.4%;
- (k) the board of county commissioners of Sedgwick county, for the purposes of K.S.A. 12-187(b)(3)(C), and amendments thereto, may fix such rate at 2%;
- (l) the board of county commissioners of Neosho county, for the purposes of K.S.A. 12-187(b)(14), and amendments thereto, may fix such rate at 1.0% or 1.5%;
- (m) the board of county commissioners of Saline county, for the purposes of K.S.A. 12-187(b)(15), and amendments thereto, may fix such rate at up to 1.5%;
- (n) the board of county commissioners of Harvey county, for the purposes of K.S.A. 12-187(b)(16), and amendments thereto, may fix such rate at 2.0%;
- (o) the board of county commissioners of Atchison county, for the purpose of K.S.A. 12-187(b)(17), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Atchison county on the effective date of this act plus 0.25%;
- (p) the board of county commissioners of Wabaunsee county, for the purpose of K.S.A. 12-187(b)(18), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Wabaunsee county on July 1, 2007, plus 0.5%;
- (q) the board of county commissioners of Jefferson county, for the purpose of K.S.A. 12-187(b)(19) and (25), and amendments thereto, may fix such rate at 2.25%;
- (r) the board of county commissioners of Riley county, for the purpose of K.S.A. 12-187(b)(20), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Riley county on July 1, 2007, plus up to 1%;
- (s) the board of county commissioners of Johnson county, for the purposes of K.S.A. 12-187(b)(21), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate allowed to be imposed by the board of county commissioners of Johnson county on July 1, 2007, plus 0.25%;
- (t) the board of county commissioners of Wilson county, for the purposes of K.S.A. 12-187(b)(22), and amendments thereto, may fix such rate at up to 2%;
- (u) the board of county commissioners of Butler county, for the purposes of K.S.A. 12-187(b)(23), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.25%, 0.5%, 0.75% or 1%;
- (v) the board of county commissioners of Barton county, for the purposes of K.S.A. 12-187(b)(24), and amendments thereto, may fix such rate at up to 1.5%;
- (w) the board of county commissioners of Lyon county, for the purposes of K.S.A. 12-187(b)(3)(D), and amendments thereto, may fix such rate at 1.5%;
- (x) the board of county commissioners of Rawlins county, for the purposes of K.S.A. 12-187(b)(3)(E), and amendments thereto, may fix such rate at 1.75%;
- (y) the board of county commissioners of Chautauqua county, for the purposes of K.S.A. 12-187(b)(3)(F), and amendments thereto, may fix such rate at 2.0%;
- (z) the board of county commissioners of Pottawatomie county, for the purposes of K.S.A. 12-187(b)(26), and amendments thereto, may fix such rate at up to 1.5%;
- (aa) the board of county commissioners of Kingman county, for the purposes of

K.S.A. 12-187(b)(27), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.25%, 0.5%, 0.75%, or 1%;

(bb) the board of county commissioners of Edwards county, for the purposes of K.S.A. 12-187(b)(28), and amendments thereto, may fix such rate at 1.375%;

(cc) the board of county commissioners of Rooks county, for the purposes of K.S.A. 12-187(b)(29), and amendments thereto, may fix such rate at up to 1.5%;

(dd) the board of county commissioners of Bourbon county, for the purposes of K.S.A. 12-187(b)(3)(G) and (b)(31), and amendments thereto, may fix such rate at up to 2.0%;

(ee) the board of county commissioners of Marion county, for the purposes of K.S.A. 12-187(b)(32), and amendments thereto, may fix such rate at 2.5%;

(ff) the board of county commissioners of Finney county, for the purposes of K.S.A. 12-187(b)(3)(H), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.3%;

(gg) the board of county commissioners of Cherokee county, for the purposes of K.S.A. 12-187(b)(3)(I), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.5%;

(hh) the board of county commissioners of Wilson county, for the purposes of K.S.A. 12-187(b)(33), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.25%, 0.5%, 0.75% or 1%; ~~and~~

(ii) the board of county commissioners of Atchison county, for the purposes of K.S.A. 12-187(b)(34), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus up to 1%; and

(jj) the board of county commissioners of Dickinson county, for the purposes of K.S.A. 12-187(b)(35), and amendments thereto, may fix such rate at a percentage that is equal to the sum of the rate otherwise allowed pursuant to this section, plus 0.25%.

Any county or city levying a retailers' sales tax is hereby prohibited from administering or collecting such tax locally, but shall utilize the services of the state department of revenue to administer, enforce and collect such tax. Except as otherwise specifically provided in K.S.A. 12-189a, and amendments thereto, such tax shall be identical in its application, and exemptions therefrom, to the Kansas retailers' sales tax act and all laws and administrative rules and regulations of the state department of revenue relating to the Kansas retailers' sales tax shall apply to such local sales tax insofar as such laws and rules and regulations may be made applicable. The state director of taxation is hereby authorized to administer, enforce and collect such local sales taxes and to adopt such rules and regulations as may be necessary for the efficient and effective administration and enforcement thereof.

Upon receipt of a certified copy of an ordinance or resolution authorizing the levy of a local retailers' sales tax, the director of taxation shall cause such taxes to be collected within or without the boundaries of such taxing subdivision at the same time and in the same manner provided for the collection of the state retailers' sales tax. Such copy shall be submitted to the director of taxation within 30 days after adoption of any such ordinance or resolution. The director of taxation shall confirm that all provisions of law applicable to the authorization of local sales tax have been followed prior to causing the

collection. If the director of taxation discovers that a city or county did not comply with any provision of law applicable to the authorization of a local sales tax after collection has commenced, the director shall immediately notify the city or county and cease collection of such sales tax until such noncompliance is remedied. All moneys collected by the director of taxation under the provisions of this section shall be credited to a county and city retailers' sales tax fund which fund is hereby established in the state treasury, except that all moneys collected by the director of taxation pursuant to the authority granted in K.S.A. 12-187(b)(22), and amendments thereto, shall be credited to the Wilson county capital improvements fund. Any refund due on any county or city retailers' sales tax collected pursuant to this act shall be paid out of the sales tax refund fund and reimbursed by the director of taxation from collections of local retailers' sales tax revenue. Except for local retailers' sales tax revenue required to be deposited in the redevelopment bond fund established under K.S.A. 74-8927, and amendments thereto, all local retailers' sales tax revenue collected within any county or city pursuant to this act shall be apportioned and remitted at least quarterly by the state treasurer, on instruction from the director of taxation, to the treasurer of such county or city.

Revenue that is received from the imposition of a local retailers' sales tax that exceeds the amount of revenue required to pay the costs of a special project for which such revenue was pledged shall be credited to the city or county general fund, as the case requires.

The director of taxation shall provide, upon request by a city or county clerk or treasurer or finance officer of any city or county levying a local retailers' sales tax, monthly reports identifying each retailer doing business in such city or county or making taxable sales sourced to such city or county, setting forth the tax liability and the amount of such tax remitted by each retailer during the preceding month and identifying each business location maintained by the retailer and such retailer's sales or use tax registration or account number. Such report shall be made available to the clerk or treasurer or finance officer of such city or county within a reasonable time after it has been requested from the director of taxation. The director of taxation shall be allowed to assess a reasonable fee for the issuance of such report. Information received by any city or county pursuant to this section shall be confidential, and it shall be unlawful for any officer or employee of such city or county to divulge any such information in any manner. Any violation of this paragraph by a city or county officer or employee is a class A misdemeanor, and such officer or employee shall be dismissed from office. Reports of violations of this paragraph shall be investigated by the attorney general. The district attorney or county attorney and the attorney general shall have authority to prosecute violations of this paragraph.

Sec. 4. K.S.A. 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) $\frac{1}{2}$ 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) $\frac{1}{2}$ 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) $\frac{1}{4}$ 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) $\frac{1}{4}$ 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) $\frac{1}{2}$ 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), (32), (33) ~~and~~, (34) ~~and~~ (35), 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.

Sec. 5. K.S.A. 2022 Supp. 19-430 is hereby amended to read as follows: 19-430. (a)(1) 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.

(2) 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) A certified general real property appraiser pursuant to article 41 of chapter 58 of the Kansas Statutes Annotated, and amendments thereto; or

(2)(B) a registered mass appraiser pursuant to rules and regulations adopted by the secretary of revenue.

(3) ~~Notwithstanding the foregoing provision provisions of this subsection,~~ 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 necessary to establish qualifications for the designation of a registered mass appraiser.

(c) On and after July 1, ~~2022~~ 2023, 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:

(1) Developed by the director of property valuation specifically related to the administration of the assessment and tax laws of the state; or

(2) approved by the Kansas real estate appraisal board pursuant to K.S.A. 58-4105, and amendments thereto.

Sec. 6. K.S.A. 2022 Supp. 79-1460 is hereby amended to read as follows: 79-1460.

(a) The county appraiser shall notify each taxpayer in the county annually on or before March 1 for real property and May 1 for personal property, by mail directed to the taxpayer's last known address, of the classification and appraised valuation of the taxpayer's property, except that, the valuation for all real property shall not be increased unless the record of the latest physical inspection was reviewed by the county or district appraiser, and documentation exists to support such increase in valuation in compliance with the directives and specifications of the director of property valuation, and such

record and documentation is available to the affected taxpayer. Alternatively, the county appraiser may transmit the classification and appraised valuation to the taxpayer by electronic means if such taxpayer consented to service by electronic means.

(b) The valuation for all real property also shall not be increased solely as the result of normal repair, replacement or maintenance of existing structures, equipment or improvements on the property. ~~For purposes of this section, "normal repair, replacement or maintenance" does not include new construction as defined in this section.~~ For the next two taxable years following the taxable year that the valuation for commercial real property has been reduced due to a final determination made pursuant to the valuation appeals process, the county appraiser shall review the computer-assisted mass-appraisal of the property and if, the valuation in either of those two years exceeds the value of the previous year by more than 5%, excluding new construction, change in use or change in classification, the county appraiser shall either:

(1) Adjust the valuation of the property based on the information provided in the previous appeal; or

(2) order an independent fee simple appraisal of the property to be performed by a Kansas certified real property appraiser. ~~As used in this section, "new construction" means the construction of any new structure or improvements or the remodeling or renovation of any existing structures or improvements on real property.~~

(c) When the valuation for real property has been reduced due to a final determination made pursuant to the valuation appeals process for the prior year, and the county appraiser has already certified the appraisal rolls for the current year to the county clerk pursuant to K.S.A. 79-1466, and amendments thereto, the county appraiser may amend the appraisal rolls and certify the changes to the county clerk to implement the provisions of this subsection and reduce the valuation of the real property to the prior year's final determination, except that such changes shall not be made after October 31 of the current year. ~~For the purposes of this section and in the case of real property, the term "taxpayer" shall be deemed to be the person in ownership of the property as indicated on the records of the office of register of deeds or county clerk and, in the case where the real property or improvement thereon is the subject of a lease agreement, such term shall also be deemed to include the lessee of such property if the lease agreement has been recorded or filed in the office of the register of deeds. Such notice~~

(d) (1) The notice provided under subsection (a) shall specify:

(A) Separately ~~both for the previous and current tax year and the current tax year,~~ the appraised and assessed values for each property class identified on the parcel. ~~Such notice shall also contain:~~

(B) the uniform parcel identification number prescribed by the director of property valuation. ~~Such notice shall also contain; and~~

(C) a statement of the taxpayer's right to appeal, the procedure to be followed in making such appeal and the availability without charge of the guide devised pursuant to subsection ~~(b)~~ (g).

(2) Such notice may, and if the board of county commissioners so require, shall provide the parcel identification number, address and the sale date and amount of any or all sales utilized in the determination of appraised value of residential real property.

(e) In any year in which no change in appraised valuation of any real property from its appraised valuation in the next preceding year is determined, an alternative form of

notification which has been approved by the director of property valuation may be utilized by a county.

(f) Failure to timely mail or receive such notice shall in no way invalidate the classification or appraised valuation as changed. The secretary of revenue shall adopt rules and regulations necessary to implement the provisions of this section.

~~(b) For all taxable years commencing after December 31, 1999,~~ (g) There shall be provided to each taxpayer, upon request, a guide to the property tax appeals process. The director of the division of property valuation shall devise and publish such guide, and shall provide sufficient copies thereof to all county appraisers. Such guide shall include, but not be limited to:

(1) A restatement of the law which pertains to the process and practice of property appraisal methodology, including the contents of K.S.A. 79-503a and 79-1460, and amendments thereto;

(2) the procedures of the appeals process, including the order and burden of proof of each party and time frames required by law; and

(3) such other information deemed necessary to educate and enable a taxpayer to properly and competently pursue an appraisal appeal.

(h) As used in this section:

(1) "New construction" means the construction of any new structure or improvements or the remodeling or renovation of any existing structures or improvements on real property.

(2) "Normal repair, replacement or maintenance" does not include new construction.

(3) "Taxpayer" means the person in ownership of the property as indicated on the records of the office of register of deeds or county clerk and includes the lessee of such property if the lease agreement has been recorded or filed in the office of the register of deeds and the real property or improvement thereon is subject of a lease agreement.

Sec. 7. K.S.A. 79-2001 is hereby amended to read as follows: 79-2001. (a) As soon as the county treasurer receives the tax roll of the county, the treasurer shall enter in a column opposite the description of each tract or parcel of land the amount of unpaid taxes and the date of unredeemed sales, if any, for previous years on such land. The treasurer shall cause a notice to be published in the official county paper once each week for three consecutive weeks, stating in the notice the amount of taxes charged for state, county, township, school, city or other purposes for that year, on each \$1,000 of valuation.

(b) Each year after receipt of the tax roll from the county clerk and before December 15, the treasurer shall mail to each taxpayer, as shown by the rolls, a tax statement which indicates the taxing unit, assessed value of real and personal property, the mill levy and tax due. In addition, with respect to land devoted to agricultural use, such statement shall indicate the acreage and description of each parcel of such land. The tax statement shall also indicate separately each parcel of real property which is separately classified for property tax purposes. The county appraiser shall provide the information necessary for the county treasurer to comply with the provisions of this section. The tax statement also may include the intangible tax due the county. All items may be on one statement or may be shown on separate statements and may be on a form prescribed by the county treasurer. The statement shall be mailed to the last known address of the taxpayer or to a designee authorized by the taxpayer to accept the tax

statement, if the designee has an interest in receiving the statement. When any statement is returned to the county treasurer for failure to find the addressee, the treasurer shall make a diligent effort to find a forwarding address of the taxpayer and mail the statement to the new address. All tax statements mailed pursuant to this section shall be mailed by first-class mail. The requirement for mailing a tax statement shall extend only to the initial statement required to be mailed in each year and to any follow-up required by this section. Alternatively, the county treasurer may transmit the tax statement to the taxpayer by electronic means if such taxpayer consented to service by electronic means.

(c) ~~For tax year 1998, and all tax years thereafter,~~ After receipt of the tax roll from the county clerk and before December 15, the treasurer shall mail to each taxpayer, as shown by the tax rolls, a tax information form which indicates the taxing unit, assessed value of real property for the current and next preceding taxable year, the mill levy for the current and next preceding taxable year and, in the case of unified school districts, the mill levy required by K.S.A. 72-5142, and amendments thereto, shall be separately indicated, the tax due and an itemization of each taxing unit's mill levy for the current and next preceding taxable year and the percentage change in the amount of revenue produced therefrom, if any. In addition, with respect to land devoted to agricultural use, such form shall indicate the acreage and description of each parcel of such land. The tax information form shall also indicate separately each parcel of real property which is separately classified for property tax purposes. The county appraiser shall provide the information necessary for the county treasurer to comply with the provisions of this section. The tax information form may be separate from the tax statement or a part of the tax statement. The tax information form shall be in a format prescribed by the director of property valuation. The tax information form shall be mailed to the last known address of the taxpayer. When a tax information form is returned to the county treasurer for failure to find the addressee, the treasurer shall make a diligent effort to find a forwarding address of the taxpayer and mail the tax information form to the new address. All tax information forms mailed pursuant to this section shall be mailed by first class mail. Alternatively, the county treasurer may transmit the tax information forms to the taxpayer by electronic means if such taxpayer consented to service by electronic means.

Sec. 8. K.S.A. 79-2017 is hereby amended to read as follows: 79-2017. In Douglas, Sedgwick, Johnson and Shawnee counties, all taxes on personal property that remain due and unpaid on February 16 or June 1 shall be collected in the following manner:

The county treasurer on or before March 25 shall send a notice by mail to the person, firm, unincorporated association, company or corporation to whom such taxes were assessed, and which remain unpaid on February 16 of any year, to its post office address as shown by the current tax roll. Alternatively, the county treasurer may transmit the notice to the taxpayer by electronic means if such taxpayer consented to service by electronic means.

The county treasurer on or before June 27 shall send a notice by mail to the person, firm, unincorporated association, company or corporation to whom such taxes were assessed, and which remain unpaid on June 1 of any year, to its post office address as shown by the current tax roll. Alternatively, the county treasurer may transmit the notice to the taxpayer by electronic means if such taxpayer consented to service by electronic means.

Failure to receive any such tax notice shall not relieve such person, firm,

unincorporated association, company or corporation defaulting in payment of personal taxes from any interest and costs attached thereto. Such notice shall state the amount of personal tax charged against the party, and notify the party that the tax may be paid by paying the amount of the tax as assessed and interest the amount of which shall be computed in accordance with the provisions of K.S.A. 79-2004a, and amendments thereto, on the delinquent tax.

The county treasurer is hereby authorized to accept payment of delinquent taxes in full without payment of the interest due upon such delinquent taxes if the amount of the interest due is less than \$5 and is further authorized to accept as payment in full, any interest payment in an amount not less than \$5 less than the full amount of the interest due.

Should such taxes, due and unpaid on February 16 remain unpaid for a period of 25 days after the mailing of such notice, or taxes due and unpaid on June 1 remain unpaid for a period of 14 days after the mailing of such notice, the county treasurer shall issue a warrant signed by the treasurer directed to the sheriff of the county, commanding the sheriff to levy the amount of such unpaid taxes and the amount of the interest thereon, together with the sheriff's fees for collecting the taxes, upon any personal property, tangible or intangible, of the person, firm, unincorporated association, company or corporation to whom such taxes were assessed.

To allow the time necessary for preparation of such warrants, the county treasurer shall not receive any payment of delinquent personal property taxes or interest thereon, due and unpaid on February 16, during a period beginning the 26th day after mailing of notices and extending through the last regular business day of April in any year or taxes or interest due and unpaid on June 1, during a period beginning the 15th day after mailing of such notices and extending through the regular business day of July 15 in any year. Such warrant shall be delivered to the sheriff by the county treasurer before the first regular business day in May and the 15th regular business day in July in each year. Upon receipt of such tax warrant, the sheriff shall proceed to collect such taxes the same as upon execution, except that where such taxes were levied and assessed pursuant to K.S.A. 79-329 through 79-334, and amendments thereto, they shall be collected as follows:

The sheriff shall cause notice to be given by registered mail to the purchaser of the oil and gas from such lease of the amount of such delinquent taxes and the name of the person against whom they were assessed and from and after the receipt of such notice such purchaser shall not pay to the person owing the taxes any of the proceeds of the sale of any oil or gas from such lease, but shall pay them to the sheriff until the full amount of such taxes and costs are paid after which the purchaser may resume the payments for such oil or gas to such person, but this exception shall not prevent the levy of an execution and sale of the leasehold interest or the physical personal property on any such lease for the payment of delinquent taxes owed by the owner thereof.

The sheriff, as soon as the sheriff collects the tax warrant, shall make a return thereof and shall make a return of all tax warrants delivered to the sheriff on or before October 1 of the year following the year in which the tax was levied. If the warrant so returned shows that the tax has been collected, the sheriff shall pay the tax to the county treasurer. If such return shows that such tax has not been collected, then the county treasurer shall file with the clerk of the district court of the treasurer's county an abstract of the total amount of unpaid taxes and interest due plus penalties and costs. The clerk

shall enter the total amount of the unpaid taxes in the appearance docket and note the entry in the general index. No fee shall be charged for either such entry. The total amount shall become a judgment in the same manner and to the same extent as any other judgment under the code of civil procedure and shall become a lien on real estate from and after the time of the filing thereof. A transcript of the judgment may be filed with the clerk of the district court in any other county and when the judgment is entered in the manner provided above, the judgment shall become a lien upon real estate located in such county in the same manner as is provided in case of other judgments. No fee shall be made for making the entry. Execution, garnishment or other proceedings in aid of execution may issue within the county or to any other county on the judgment in the same manner as on judgments under the code of civil procedure except that any real estate taken upon execution for the collection of such taxes shall be sold without appraisal. None of the exemptions provided for in the code of civil procedure shall apply to any such judgment but no such judgment secured for taxes on personal property shall be levied against a homestead.

At the time of filing the abstract of the taxes, interest, penalties and costs with the clerk of the district court, the county treasurer shall serve notice, in writing, on the county counselor of such filing. It shall be the duty of the county counselor to commence such proceedings as are necessary for the collection of such judgment. If execution is not issued within five years from the date of the entry of any such judgment, or if five years shall have intervened between the date of the last execution issued on such judgment and the time of issuing another writ of execution thereon, such judgment shall become dormant, and shall cease to operate as a lien on the real estate of the delinquent taxpayer. Such dormant judgment may be revived in like manner as dormant judgments under the code of civil procedure. Any such judgment remaining uncollected after seven years may be allowed to become dormant if the county commissioners determine, after consideration of all relevant facts, that it is not reasonable to expect that such judgment will be collected. The board of county commissioners may allow such judgments to become dormant at any time if the original amount of the judgment was less than \$50.

Sec. 9. K.S.A. 2022 Supp. 79-3606 is hereby amended to read as follows: 79-3606. The following shall be exempt from the tax imposed by this act:

(a) All sales of motor-vehicle fuel or other articles upon which a sales or excise tax has been paid, not subject to refund, under the laws of this state except cigarettes and electronic cigarettes as defined by K.S.A. 79-3301, and amendments thereto, including consumable material for such electronic cigarettes, cereal malt beverages and malt products as defined by K.S.A. 79-3817, and amendments thereto, including wort, liquid malt, malt syrup and malt extract, that is not subject to taxation under the provisions of K.S.A. 79-41a02, and amendments thereto, motor vehicles taxed pursuant to K.S.A. 79-5117, and amendments thereto, tires taxed pursuant to K.S.A. 65-3424d, and amendments thereto, drycleaning and laundry services taxed pursuant to K.S.A. 65-34,150, and amendments thereto, and gross receipts from regulated sports contests taxed pursuant to the Kansas professional regulated sports act, and amendments thereto;

(b) all sales of tangible personal property or service, including the renting and leasing of tangible personal property, purchased directly by the state of Kansas, a political subdivision thereof, other than a school or educational institution, or purchased by a public or private nonprofit hospital, public hospital authority, nonprofit blood,

tissue or organ bank or nonprofit integrated community care organization and used exclusively for state, political subdivision, hospital, public hospital authority, nonprofit blood, tissue or organ bank or nonprofit integrated community care organization purposes, except when: (1) Such state, hospital or public hospital authority is engaged or proposes to engage in any business specifically taxable under the provisions of this act and such items of tangible personal property or service are used or proposed to be used in such business; or (2) such political subdivision is engaged or proposes to engage in the business of furnishing gas, electricity or heat to others and such items of personal property or service are used or proposed to be used in such business;

(c) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly by a public or private elementary or secondary school or public or private nonprofit educational institution and used primarily by such school or institution for nonsectarian programs and activities provided or sponsored by such school or institution or in the erection, repair or enlargement of buildings to be used for such purposes. The exemption herein provided shall not apply to erection, construction, repair, enlargement or equipment of buildings used primarily for human habitation, except that such exemption shall apply to the erection, construction, repair, enlargement or equipment of buildings used for human habitation by the cerebral palsy research foundation of Kansas located in Wichita, Kansas, and multi community diversified services, incorporated, located in McPherson, Kansas;

(d) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, a public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership, that would be exempt from taxation under the provisions of this act if purchased directly by such hospital or public hospital authority, school, educational institution or a state correctional institution; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or district described in subsection (s), the total cost of which is paid from funds of such political subdivision or district and that would be exempt from taxation under the provisions of this act if purchased directly by such political subdivision or district. Nothing in this subsection or in the provisions of K.S.A. 12-3418, and amendments thereto, shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or any such district. As used in this subsection, K.S.A. 12-3418 and 79-3640, and amendments thereto, "funds of a political subdivision" shall mean general tax revenues, the proceeds of any bonds and gifts or grants-in-aid. Gifts shall not mean funds used for the purpose of constructing, equipping, reconstructing, repairing, enlarging, furnishing or remodeling facilities that are to be leased to the donor. When any political subdivision of the state, district described in subsection (s), public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, public or private nonprofit educational institution, state correctional

institution including a privately constructed correctional institution contracted for state use and ownership shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or department of corrections concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or the contractor contracting with the department of corrections for a correctional institution concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(e) all sales of tangible personal property or services purchased by a contractor for the erection, repair or enlargement of buildings or other projects for the government of the United States, its agencies or instrumentalities, that would be exempt from taxation if purchased directly by the government of the United States, its agencies or instrumentalities. When the government of the United States, its agencies or instrumentalities shall contract for the erection, repair, or enlargement of any building or other project, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the government of the United

States, its agencies or instrumentalities concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(f) tangible personal property purchased by a railroad or public utility for consumption or movement directly and immediately in interstate commerce;

(g) sales of aircraft including remanufactured and modified aircraft sold to persons using directly or through an authorized agent such aircraft as certified or licensed carriers of persons or property in interstate or foreign commerce under authority of the laws of the United States or any foreign government or sold to any foreign government or agency or instrumentality of such foreign government and all sales of aircraft for use outside of the United States and sales of aircraft repair, modification and replacement parts and sales of services employed in the remanufacture, modification and repair of aircraft;

(h) all rentals of nonsectarian textbooks by public or private elementary or secondary schools;

(i) the lease or rental of all films, records, tapes, or any type of sound or picture transcriptions used by motion picture exhibitors;

(j) meals served without charge or food used in the preparation of such meals to employees of any restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public if such employees' duties are related to the furnishing or sale of such meals or drinks;

(k) any motor vehicle, semitrailer or pole trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto, or aircraft sold and delivered in this state to a bona fide resident of another state, which motor vehicle, semitrailer, pole trailer or aircraft is not to be registered or based in this state and which vehicle, semitrailer, pole trailer or aircraft will not remain in this state more than 10 days;

(l) all isolated or occasional sales of tangible personal property, services, substances or things, except isolated or occasional sale of motor vehicles specifically taxed under the provisions of K.S.A. 79-3603(o), and amendments thereto;

(m) all sales of tangible personal property that become an ingredient or component part of tangible personal property or services produced, manufactured or compounded for ultimate sale at retail within or without the state of Kansas; and any such producer, manufacturer or compounder may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for use as an ingredient or component part of the property or services produced, manufactured or compounded;

(n) all sales of tangible personal property that is consumed in the production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property, the treating of by-products or wastes derived from any such production process, the providing of services or the irrigation of crops for ultimate sale at retail within or without the state of Kansas; and any purchaser of such property may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for consumption in such production, manufacture, processing, mining, drilling, refining, compounding, treating, irrigation and in providing such services;

(o) all sales of animals, fowl and aquatic plants and animals, the primary purpose of which is use in agriculture or aquaculture, as defined in K.S.A. 47-1901, and amendments thereto, the production of food for human consumption, the production of animal, dairy, poultry or aquatic plant and animal products, fiber or fur, or the production of offspring for use for any such purpose or purposes;

(p) all sales of drugs dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "drug" means a compound, substance or preparation and any component of a compound, substance or preparation, other than food and food ingredients, dietary supplements or alcoholic beverages, recognized in the official United States pharmacopeia, official homeopathic pharmacopeia of the United States or official national formulary, and supplement to any of them, intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease or intended to affect the structure or any function of the body, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of drugs used in the performance or induction of an abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(q) all sales of insulin dispensed by a person licensed by the state board of pharmacy to a person for treatment of diabetes at the direction of a person licensed to practice medicine by the state board of healing arts;

(r) all sales of oxygen delivery equipment, kidney dialysis equipment, enteral feeding systems, prosthetic devices and mobility enhancing equipment prescribed in writing by a person licensed to practice the healing arts, dentistry or optometry, and in addition to such sales, all sales of hearing aids, as defined by K.S.A. 74-5807(c), and amendments thereto, and repair and replacement parts therefor, including batteries, by a person licensed in the practice of dispensing and fitting hearing aids pursuant to the provisions of K.S.A. 74-5808, and amendments thereto. For the purposes of this subsection: (1) "Mobility enhancing equipment" means equipment including repair and replacement parts to same, but does not include durable medical equipment, which is primarily and customarily used to provide or increase the ability to move from one place to another and which is appropriate for use either in a home or a motor vehicle; is not generally used by persons with normal mobility; and does not include any motor vehicle or equipment on a motor vehicle normally provided by a motor vehicle manufacturer; and (2) "prosthetic device" means a replacement, corrective or supportive device including repair and replacement parts for same worn on or in the body to artificially replace a missing portion of the body, prevent or correct physical deformity or malfunction or support a weak or deformed portion of the body;

(s) except as provided in K.S.A. 82a-2101, and amendments thereto, all sales of

tangible personal property or services purchased directly or indirectly by a groundwater management district organized or operating under the authority of K.S.A. 82a-1020 et seq., and amendments thereto, by a rural water district organized or operating under the authority of K.S.A. 82a-612, and amendments thereto, or by a water supply district organized or operating under the authority of K.S.A. 19-3501 et seq., 19-3522 et seq. or 19-3545, and amendments thereto, which property or services are used in the construction activities, operation or maintenance of the district;

(t) all sales of farm machinery and equipment or aquaculture machinery and equipment, repair and replacement parts therefor and services performed in the repair and maintenance of such machinery and equipment. For the purposes of this subsection the term "farm machinery and equipment or aquaculture machinery and equipment" shall include a work-site utility vehicle, as defined in K.S.A. 8-126, and amendments thereto, and is equipped with a bed or cargo box for hauling materials, and shall also include machinery and equipment used in the operation of Christmas tree farming but shall not include any passenger vehicle, truck, truck tractor, trailer, semitrailer or pole trailer, other than a farm trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto. "Farm machinery and equipment" includes precision farming equipment that is portable or is installed or purchased to be installed on farm machinery and equipment. "Precision farming equipment" includes the following items used only in computer-assisted farming, ranching or aquaculture production operations: Soil testing sensors, yield monitors, computers, monitors, software, global positioning and mapping systems, guiding systems, modems, data communications equipment and any necessary mounting hardware, wiring and antennas. Each purchaser of farm machinery and equipment or aquaculture machinery and equipment exempted herein must certify in writing on the copy of the invoice or sales ticket to be retained by the seller that the farm machinery and equipment or aquaculture machinery and equipment purchased will be used only in farming, ranching or aquaculture production. Farming or ranching shall include the operation of a feedlot and farm and ranch work for hire and the operation of a nursery;

(u) all leases or rentals of tangible personal property used as a dwelling if such tangible personal property is leased or rented for a period of more than 28 consecutive days;

(v) all sales of tangible personal property to any contractor for use in preparing meals for delivery to homebound elderly persons over 60 years of age and to homebound disabled persons or to be served at a group-sitting at a location outside of the home to otherwise homebound elderly persons over 60 years of age and to otherwise homebound disabled persons, as all or part of any food service project funded in whole or in part by government or as part of a private nonprofit food service project available to all such elderly or disabled persons residing within an area of service designated by the private nonprofit organization, and all sales of tangible personal property for use in preparing meals for consumption by indigent or homeless individuals whether or not such meals are consumed at a place designated for such purpose, and all sales of food products by or on behalf of any such contractor or organization for any such purpose;

(w) all sales of natural gas, electricity, heat and water delivered through mains, lines or pipes: (1) To residential premises for noncommercial use by the occupant of such premises; (2) for agricultural use and also, for such use, all sales of propane gas;

(3) for use in the severing of oil; and (4) to any property which is exempt from property taxation pursuant to K.S.A. 79-201b, Second through Sixth. As used in this paragraph, "severing" means the same as defined in K.S.A. 79-4216(k), and amendments thereto. For all sales of natural gas, electricity and heat delivered through mains, lines or pipes pursuant to the provisions of subsection (w)(1) and (w)(2), the provisions of this subsection shall expire on December 31, 2005;

(x) all sales of propane gas, LP-gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises occurring prior to January 1, 2006;

(y) all sales of materials and services used in the repairing, servicing, altering, maintaining, manufacturing, remanufacturing, or modification of railroad rolling stock for use in interstate or foreign commerce under authority of the laws of the United States;

(z) all sales of tangible personal property and services purchased directly by a port authority or by a contractor therefor as provided by the provisions of K.S.A. 12-3418, and amendments thereto;

(aa) all sales of materials and services applied to equipment that is transported into the state from without the state for repair, service, alteration, maintenance, remanufacture or modification and that is subsequently transported outside the state for use in the transmission of liquids or natural gas by means of pipeline in interstate or foreign commerce under authority of the laws of the United States;

(bb) all sales of used mobile homes or manufactured homes. As used in this subsection: (1) "Mobile homes" and "manufactured homes" mean the same as defined in K.S.A. 58-4202, and amendments thereto; and (2) "sales of used mobile homes or manufactured homes" means sales other than the original retail sale thereof;

(cc) all sales of tangible personal property or services purchased prior to January 1, 2012, except as otherwise provided, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business or retail business that meets the requirements established in K.S.A. 74-50,115, and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business or retail business, and all sales of tangible personal property or services purchased on or after January 1, 2012, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business that meets the requirements established in K.S.A. 74-50,115(e), and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business. When a person shall contract for the construction, reconstruction, enlargement or remodeling of any such business or retail business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the owner of the business or retail business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use

or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. As used in this subsection, "business" and "retail business" mean the same as defined in K.S.A. 74-50,114, and amendments thereto. Project exemption certificates that have been previously issued under this subsection by the department of revenue pursuant to K.S.A. 74-50,115, and amendments thereto, but not including K.S.A. 74-50,115(e), and amendments thereto, prior to January 1, 2012, and have not expired will be effective for the term of the project or two years from the effective date of the certificate, whichever occurs earlier. Project exemption certificates that are submitted to the department of revenue prior to January 1, 2012, and are found to qualify will be issued a project exemption certificate that will be effective for a two-year period or for the term of the project, whichever occurs earlier;

(dd) all sales of tangible personal property purchased with food stamps issued by the United States department of agriculture;

(ee) all sales of lottery tickets and shares made as part of a lottery operated by the state of Kansas;

(ff) on and after July 1, 1988, all sales of new mobile homes or manufactured homes to the extent of 40% of the gross receipts, determined without regard to any trade-in allowance, received from such sale. As used in this subsection, "mobile homes" and "manufactured homes" mean the same as defined in K.S.A. 58-4202, and amendments thereto;

(gg) all sales of tangible personal property purchased in accordance with vouchers issued pursuant to the federal special supplemental food program for women, infants and children;

(hh) all sales of medical supplies and equipment, including durable medical equipment, purchased directly by a nonprofit skilled nursing home or nonprofit intermediate nursing care home, as defined by K.S.A. 39-923, and amendments thereto, for the purpose of providing medical services to residents thereof. This exemption shall not apply to tangible personal property customarily used for human habitation purposes. As used in this subsection, "durable medical equipment" means equipment including repair and replacement parts for such equipment, that can withstand repeated use, is primarily and customarily used to serve a medical purpose, generally is not useful to a person in the absence of illness or injury and is not worn in or on the body, but does not include mobility enhancing equipment as defined in subsection (r), oxygen delivery equipment, kidney dialysis equipment or enteral feeding systems;

(ii) all sales of tangible personal property purchased directly by a nonprofit organization for nonsectarian comprehensive multidiscipline youth development programs and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(jj) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly on behalf of a community-based facility for people with intellectual disability or mental health center organized

pursuant to K.S.A. 19-4001 et seq., and amendments thereto, and licensed in accordance with the provisions of K.S.A. 39-2001 et seq., and amendments thereto, and all sales of tangible personal property or services purchased by contractors during the time period from July, 2003, through June, 2006, for the purpose of constructing, equipping, maintaining or furnishing a new facility for a community-based facility for people with intellectual disability or mental health center located in Riverton, Cherokee County, Kansas, that would have been eligible for sales tax exemption pursuant to this subsection if purchased directly by such facility or center. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(kk) (1) (A) all sales of machinery and equipment that are used in this state as an integral or essential part of an integrated production operation by a manufacturing or processing plant or facility;

(B) all sales of installation, repair and maintenance services performed on such machinery and equipment; and

(C) all sales of repair and replacement parts and accessories purchased for such machinery and equipment.

(2) For purposes of this subsection:

(A) "Integrated production operation" means an integrated series of operations engaged in at a manufacturing or processing plant or facility to process, transform or convert tangible personal property by physical, chemical or other means into a different form, composition or character from that in which it originally existed. Integrated production operations shall include: (i) Production line operations, including packaging operations; (ii) preproduction operations to handle, store and treat raw materials; (iii) post production handling, storage, warehousing and distribution operations; and (iv) waste, pollution and environmental control operations, if any;

(B) "production line" means the assemblage of machinery and equipment at a manufacturing or processing plant or facility where the actual transformation or processing of tangible personal property occurs;

(C) "manufacturing or processing plant or facility" means a single, fixed location owned or controlled by a manufacturing or processing business that consists of one or more structures or buildings in a contiguous area where integrated production operations are conducted to manufacture or process tangible personal property to be ultimately sold at retail. Such term shall not include any facility primarily operated for the purpose of conveying or assisting in the conveyance of natural gas, electricity, oil or water. A business may operate one or more manufacturing or processing plants or facilities at different locations to manufacture or process a single product of tangible personal property to be ultimately sold at retail;

(D) "manufacturing or processing business" means a business that utilizes an integrated production operation to manufacture, process, fabricate, finish or assemble items for wholesale and retail distribution as part of what is commonly regarded by the general public as an industrial manufacturing or processing operation or an agricultural commodity processing operation. (i) Industrial manufacturing or processing operations include, by way of illustration but not of limitation, the fabrication of automobiles, airplanes, machinery or transportation equipment, the fabrication of metal, plastic, wood or paper products, electricity power generation, water treatment, petroleum refining, chemical production, wholesale bottling, newspaper printing, ready mixed concrete production, and the remanufacturing of used parts for wholesale or retail sale.

Such processing operations shall include operations at an oil well, gas well, mine or other excavation site where the oil, gas, minerals, coal, clay, stone, sand or gravel that has been extracted from the earth is cleaned, separated, crushed, ground, milled, screened, washed or otherwise treated or prepared before its transmission to a refinery or before any other wholesale or retail distribution. (ii) Agricultural commodity processing operations include, by way of illustration but not of limitation, meat packing, poultry slaughtering and dressing, processing and packaging farm and dairy products in sealed containers for wholesale and retail distribution, feed grinding, grain milling, frozen food processing, and grain handling, cleaning, blending, fumigation, drying and aeration operations engaged in by grain elevators or other grain storage facilities. (iii) Manufacturing or processing businesses do not include, by way of illustration but not of limitation, nonindustrial businesses whose operations are primarily retail and that produce or process tangible personal property as an incidental part of conducting the retail business, such as retailers who bake, cook or prepare food products in the regular course of their retail trade, grocery stores, meat lockers and meat markets that butcher or dress livestock or poultry in the regular course of their retail trade, contractors who alter, service, repair or improve real property, and retail businesses that clean, service or refurbish and repair tangible personal property for its owner;

(E) "repair and replacement parts and accessories" means all parts and accessories for exempt machinery and equipment, including, but not limited to, dies, jigs, molds, patterns and safety devices that are attached to exempt machinery or that are otherwise used in production, and parts and accessories that require periodic replacement such as belts, drill bits, grinding wheels, grinding balls, cutting bars, saws, refractory brick and other refractory items for exempt kiln equipment used in production operations;

(F) "primary" or "primarily" mean more than 50% of the time.

(3) For purposes of this subsection, machinery and equipment shall be deemed to be used as an integral or essential part of an integrated production operation when used to:

(A) Receive, transport, convey, handle, treat or store raw materials in preparation of its placement on the production line;

(B) transport, convey, handle or store the property undergoing manufacturing or processing at any point from the beginning of the production line through any warehousing or distribution operation of the final product that occurs at the plant or facility;

(C) act upon, effect, promote or otherwise facilitate a physical change to the property undergoing manufacturing or processing;

(D) guide, control or direct the movement of property undergoing manufacturing or processing;

(E) test or measure raw materials, the property undergoing manufacturing or processing or the finished product, as a necessary part of the manufacturer's integrated production operations;

(F) plan, manage, control or record the receipt and flow of inventories of raw materials, consumables and component parts, the flow of the property undergoing manufacturing or processing and the management of inventories of the finished product;

(G) produce energy for, lubricate, control the operating of or otherwise enable the functioning of other production machinery and equipment and the continuation of production operations;

(H) package the property being manufactured or processed in a container or wrapping in which such property is normally sold or transported;

(I) transmit or transport electricity, coke, gas, water, steam or similar substances used in production operations from the point of generation, if produced by the manufacturer or processor at the plant site, to that manufacturer's production operation; or, if purchased or delivered from off-site, from the point where the substance enters the site of the plant or facility to that manufacturer's production operations;

(J) cool, heat, filter, refine or otherwise treat water, steam, acid, oil, solvents or other substances that are used in production operations;

(K) provide and control an environment required to maintain certain levels of air quality, humidity or temperature in special and limited areas of the plant or facility, where such regulation of temperature or humidity is part of and essential to the production process;

(L) treat, transport or store waste or other byproducts of production operations at the plant or facility; or

(M) control pollution at the plant or facility where the pollution is produced by the manufacturing or processing operation.

(4) The following machinery, equipment and materials shall be deemed to be exempt even though it may not otherwise qualify as machinery and equipment used as an integral or essential part of an integrated production operation: (A) Computers and related peripheral equipment that are utilized by a manufacturing or processing business for engineering of the finished product or for research and development or product design; (B) machinery and equipment that is utilized by a manufacturing or processing business to manufacture or rebuild tangible personal property that is used in manufacturing or processing operations, including tools, dies, molds, forms and other parts of qualifying machinery and equipment; (C) portable plants for aggregate concrete, bulk cement and asphalt including cement mixing drums to be attached to a motor vehicle; (D) industrial fixtures, devices, support facilities and special foundations necessary for manufacturing and production operations, and materials and other tangible personal property sold for the purpose of fabricating such fixtures, devices, facilities and foundations. An exemption certificate for such purchases shall be signed by the manufacturer or processor. If the fabricator purchases such material, the fabricator shall also sign the exemption certificate; (E) a manufacturing or processing business' laboratory equipment that is not located at the plant or facility, but that would otherwise qualify for exemption under subsection (3)(E); (F) all machinery and equipment used in surface mining activities as described in K.S.A. 49-601 et seq., and amendments thereto, beginning from the time a reclamation plan is filed to the acceptance of the completed final site reclamation.

(5) "Machinery and equipment used as an integral or essential part of an integrated production operation" shall not include:

(A) Machinery and equipment used for nonproduction purposes, including, but not limited to, machinery and equipment used for plant security, fire prevention, first aid, accounting, administration, record keeping, advertising, marketing, sales or other related activities, plant cleaning, plant communications and employee work scheduling;

(B) machinery, equipment and tools used primarily in maintaining and repairing any type of machinery and equipment or the building and plant;

(C) transportation, transmission and distribution equipment not primarily used in a

production, warehousing or material handling operation at the plant or facility, including the means of conveyance of natural gas, electricity, oil or water, and equipment related thereto, located outside the plant or facility;

(D) office machines and equipment including computers and related peripheral equipment not used directly and primarily to control or measure the manufacturing process;

(E) furniture and other furnishings;

(F) buildings, other than exempt machinery and equipment that is permanently affixed to or becomes a physical part of the building, and any other part of real estate that is not otherwise exempt;

(G) building fixtures that are not integral to the manufacturing operation, such as utility systems for heating, ventilation, air conditioning, communications, plumbing or electrical;

(H) machinery and equipment used for general plant heating, cooling and lighting;

(I) motor vehicles that are registered for operation on public highways; or

(J) employee apparel, except safety and protective apparel that is purchased by an employer and furnished gratuitously to employees who are involved in production or research activities.

(6) Paragraphs (3) and (5) shall not be construed as exclusive listings of the machinery and equipment that qualify or do not qualify as an integral or essential part of an integrated production operation. When machinery or equipment is used as an integral or essential part of production operations part of the time and for nonproduction purposes at other times, the primary use of the machinery or equipment shall determine whether or not such machinery or equipment qualifies for exemption.

(7) The secretary of revenue shall adopt rules and regulations necessary to administer the provisions of this subsection;

(ll) all sales of educational materials purchased for distribution to the public at no charge by a nonprofit corporation organized for the purpose of encouraging, fostering and conducting programs for the improvement of public health, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such materials purchased by a nonprofit corporation which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(mm) all sales of seeds and tree seedlings; fertilizers, insecticides, herbicides, germicides, pesticides and fungicides; and services, purchased and used for the purpose of producing plants in order to prevent soil erosion on land devoted to agricultural use;

(nn) except as otherwise provided in this act, all sales of services rendered by an advertising agency or licensed broadcast station or any member, agent or employee thereof;

(oo) all sales of tangible personal property purchased by a community action group or agency for the exclusive purpose of repairing or weatherizing housing occupied by low-income individuals;

(pp) all sales of drill bits and explosives actually utilized in the exploration and production of oil or gas;

(qq) all sales of tangible personal property and services purchased by a nonprofit museum or historical society or any combination thereof, including a nonprofit organization that is organized for the purpose of stimulating public interest in the exploration of space by providing educational information, exhibits and experiences,

that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(rr) all sales of tangible personal property that will admit the purchaser thereof to any annual event sponsored by a nonprofit organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property purchased by a nonprofit organization which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(ss) all sales of tangible personal property and services purchased by a public broadcasting station licensed by the federal communications commission as a noncommercial educational television or radio station;

(tt) all sales of tangible personal property and services purchased by or on behalf of a not-for-profit corporation that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the sole purpose of constructing a Kansas Korean War memorial;

(uu) all sales of tangible personal property and services purchased by or on behalf of any rural volunteer fire-fighting organization for use exclusively in the performance of its duties and functions;

(vv) all sales of tangible personal property purchased by any of the following organizations that are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the following purposes, and all sales of any such property by or on behalf of any such organization for any such purpose:

(1) The American heart association, Kansas affiliate, inc. for the purposes of providing education, training, certification in emergency cardiac care, research and other related services to reduce disability and death from cardiovascular diseases and stroke;

(2) the Kansas alliance for the mentally ill, inc. for the purpose of advocacy for persons with mental illness and to education, research and support for their families;

(3) the Kansas mental illness awareness council for the purposes of advocacy for persons who are mentally ill and for education, research and support for them and their families;

(4) the American diabetes association Kansas affiliate, inc. for the purpose of eliminating diabetes through medical research, public education focusing on disease prevention and education, patient education including information on coping with diabetes, and professional education and training;

(5) the American lung association of Kansas, inc. for the purpose of eliminating all lung diseases through medical research, public education including information on coping with lung diseases, professional education and training related to lung disease and other related services to reduce the incidence of disability and death due to lung disease;

(6) the Kansas chapters of the Alzheimer's disease and related disorders association, inc. for the purpose of providing assistance and support to persons in Kansas with Alzheimer's disease, and their families and caregivers;

(7) the Kansas chapters of the Parkinson's disease association for the purpose of eliminating Parkinson's disease through medical research and public and professional

education related to such disease;

(8) the national kidney foundation of Kansas and western Missouri for the purpose of eliminating kidney disease through medical research and public and private education related to such disease;

(9) the heartstrings community foundation for the purpose of providing training, employment and activities for adults with developmental disabilities;

(10) the cystic fibrosis foundation, heart of America chapter, for the purposes of assuring the development of the means to cure and control cystic fibrosis and improving the quality of life for those with the disease;

(11) the spina bifida association of Kansas for the purpose of providing financial, educational and practical aid to families and individuals with spina bifida. Such aid includes, but is not limited to, funding for medical devices, counseling and medical educational opportunities;

(12) the CHWC, Inc., for the purpose of rebuilding urban core neighborhoods through the construction of new homes, acquiring and renovating existing homes and other related activities, and promoting economic development in such neighborhoods;

(13) the cross-lines cooperative council for the purpose of providing social services to low income individuals and families;

(14) the dreams work, inc., for the purpose of providing young adult day services to individuals with developmental disabilities and assisting families in avoiding institutional or nursing home care for a developmentally disabled member of their family;

(15) the KSIDS, Inc., for the purpose of promoting the independence and inclusion of people with disabilities as fully participating and contributing members of their communities and society through the training and providing of guide and service dogs to people with disabilities, and providing disability education and awareness to the general public;

(16) the lyme association of greater Kansas City, Inc., for the purpose of providing support to persons with lyme disease and public education relating to the prevention, treatment and cure of lyme disease;

(17) the dream factory, inc., for the purpose of granting the dreams of children with critical and chronic illnesses;

(18) the Ottawa Suzuki strings, inc., for the purpose of providing students and families with education and resources necessary to enable each child to develop fine character and musical ability to the fullest potential;

(19) the international association of lions clubs for the purpose of creating and fostering a spirit of understanding among all people for humanitarian needs by providing voluntary services through community involvement and international cooperation;

(20) the Johnson county young matrons, inc., for the purpose of promoting a positive future for members of the community through volunteerism, financial support and education through the efforts of an all volunteer organization;

(21) the American cancer society, inc., for the purpose of eliminating cancer as a major health problem by preventing cancer, saving lives and diminishing suffering from cancer, through research, education, advocacy and service;

(22) the community services of Shawnee, inc., for the purpose of providing food and clothing to those in need;

(23) the angel babies association, for the purpose of providing assistance, support and items of necessity to teenage mothers and their babies; and

(24) the Kansas fairgrounds foundation for the purpose of the preservation, renovation and beautification of the Kansas state fairgrounds;

(ww) all sales of tangible personal property purchased by the habitat for humanity for the exclusive use of being incorporated within a housing project constructed by such organization;

(xx) all sales of tangible personal property and services purchased by a nonprofit zoo that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, or on behalf of such zoo by an entity itself exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986 contracted with to operate such zoo and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo that would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit zoo or the entity operating such zoo. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo. When any nonprofit zoo shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the nonprofit zoo concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the nonprofit zoo concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(yy) all sales of tangible personal property and services purchased by a parent-teacher association or organization, and all sales of tangible personal property by or on

behalf of such association or organization;

(zz) all sales of machinery and equipment purchased by over-the-air, free access radio or television station that is used directly and primarily for the purpose of producing a broadcast signal or is such that the failure of the machinery or equipment to operate would cause broadcasting to cease. For purposes of this subsection, machinery and equipment shall include, but not be limited to, that required by rules and regulations of the federal communications commission, and all sales of electricity which are essential or necessary for the purpose of producing a broadcast signal or is such that the failure of the electricity would cause broadcasting to cease;

(aaa) all sales of tangible personal property and services purchased by a religious organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and used exclusively for religious purposes, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 1998, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each

claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(bbb) all sales of food for human consumption by an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, pursuant to a food distribution program that offers such food at a price below cost in exchange for the performance of community service by the purchaser thereof;

(ccc) on and after July 1, 1999, all sales of tangible personal property and services purchased by a primary care clinic or health center the primary purpose of which is to provide services to medically underserved individuals and families, and that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center that would be exempt from taxation under the provisions of this section if purchased directly by such clinic or center, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property and services purchased by a primary care clinic or health center which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center. When any such clinic or center shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such clinic or center concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such clinic or center concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any

contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(ddd) on and after January 1, 1999, and before January 1, 2000, all sales of materials and services purchased by any class II or III railroad as classified by the federal surface transportation board for the construction, renovation, repair or replacement of class II or III railroad track and facilities used directly in interstate commerce. In the event any such track or facility for which materials and services were purchased sales tax exempt is not operational for five years succeeding the allowance of such exemption, the total amount of sales tax that would have been payable except for the operation of this subsection shall be recouped in accordance with rules and regulations adopted for such purpose by the secretary of revenue;

(eee) on and after January 1, 1999, and before January 1, 2001, all sales of materials and services purchased for the original construction, reconstruction, repair or replacement of grain storage facilities, including railroad sidings providing access thereto;

(fff) all sales of material handling equipment, racking systems and other related machinery and equipment that is used for the handling, movement or storage of tangible personal property in a warehouse or distribution facility in this state; all sales of installation, repair and maintenance services performed on such machinery and equipment; and all sales of repair and replacement parts for such machinery and equipment. For purposes of this subsection, a warehouse or distribution facility means a single, fixed location that consists of buildings or structures in a contiguous area where storage or distribution operations are conducted that are separate and apart from the business' retail operations, if any, and that do not otherwise qualify for exemption as occurring at a manufacturing or processing plant or facility. Material handling and storage equipment shall include aeration, dust control, cleaning, handling and other such equipment that is used in a public grain warehouse or other commercial grain storage facility, whether used for grain handling, grain storage, grain refining or processing, or other grain treatment operation;

(ggg) all sales of tangible personal property and services purchased by or on behalf of the Kansas academy of science, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and used solely by such academy for the preparation, publication and dissemination of education materials;

(hhh) all sales of tangible personal property and services purchased by or on behalf of all domestic violence shelters that are member agencies of the Kansas coalition against sexual and domestic violence;

(iii) all sales of personal property and services purchased by an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and such personal property and services are used by any such organization in the collection, storage and distribution of food products to nonprofit organizations that distribute such food products to persons pursuant to a food distribution program on a charitable basis without fee or charge, and all sales of tangible

personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities used for the collection and storage of such food products for any such organization which is exempt from federal income taxation pursuant to section 501(c) (3) of the federal internal revenue code of 1986, that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 2005, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(jjj) all sales of dietary supplements dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "dietary supplement" means any product, other than tobacco, intended to supplement the diet that: (1) Contains one or

more of the following dietary ingredients: A vitamin, a mineral, an herb or other botanical, an amino acid, a dietary substance for use by humans to supplement the diet by increasing the total dietary intake or a concentrate, metabolite, constituent, extract or combination of any such ingredient; (2) is intended for ingestion in tablet, capsule, powder, softgel, gelcap or liquid form, or if not intended for ingestion, in such a form, is not represented as conventional food and is not represented for use as a sole item of a meal or of the diet; and (3) is required to be labeled as a dietary supplement, identifiable by the supplemental facts box found on the label and as required pursuant to 21 C.F.R. § 101.36;

(lll) all sales of tangible personal property and services purchased by special olympics Kansas, inc. for the purpose of providing year-round sports training and athletic competition in a variety of olympic-type sports for individuals with intellectual disabilities by giving them continuing opportunities to develop physical fitness, demonstrate courage, experience joy and participate in a sharing of gifts, skills and friendship with their families, other special olympics athletes and the community, and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization;

(mmm) all sales of tangible personal property purchased by or on behalf of the Marillac center, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing psycho-social-biological and special education services to children, and all sales of any such property by or on behalf of such organization for such purpose;

(nnn) all sales of tangible personal property and services purchased by the west Sedgwick county-sunrise rotary club and sunrise charitable fund for the purpose of constructing a boundless playground which is an integrated, barrier free and developmentally advantageous play environment for children of all abilities and disabilities;

(ooo) all sales of tangible personal property by or on behalf of a public library serving the general public and supported in whole or in part with tax money or a not-for-profit organization whose purpose is to raise funds for or provide services or other benefits to any such public library;

(ppp) all sales of tangible personal property and services purchased by or on behalf of a homeless shelter that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal income tax code of 1986, and used by any such homeless shelter to provide emergency and transitional housing for individuals and families experiencing homelessness, and all sales of any such property by or on behalf of any such homeless shelter for any such purpose;

(qqq) all sales of tangible personal property and services purchased by TLC for children and families, inc., hereinafter referred to as TLC, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of TLC for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC for any such purpose that would be exempt from taxation under the provisions of

this section if purchased directly by TLC. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC. When TLC contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(rrr) all sales of tangible personal property and services purchased by any county law library maintained pursuant to law and sales of tangible personal property and services purchased by an organization that would have been exempt from taxation under the provisions of this subsection if purchased directly by the county law library for the purpose of providing legal resources to attorneys, judges, students and the general public, and all sales of any such property by or on behalf of any such county law library;

(sss) all sales of tangible personal property and services purchased by catholic charities or youthville, hereinafter referred to as charitable family providers, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of charitable family providers for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for charitable family providers for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by charitable family providers. Nothing in this subsection

shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for charitable family providers. When charitable family providers contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to charitable family providers a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, charitable family providers shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(ttt) all sales of tangible personal property or services purchased by a contractor for a project for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility owned by a nonprofit museum that has been granted an exemption pursuant to subsection (qq), which such home or facility is located in a city that has been designated as a qualified hometown pursuant to the provisions of K.S.A. 75-5071 et seq., and amendments thereto, and which such project is related to the purposes of K.S.A. 75-5071 et seq., and amendments thereto, and that would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit museum. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility for any such nonprofit museum. When any such nonprofit museum shall contract for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such

certificate. Upon completion of the project, the contractor shall furnish to such nonprofit museum a sworn statement on a form to be provided by the director of taxation that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in a home or facility or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such nonprofit museum shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(uuu) all sales of tangible personal property and services purchased by Kansas children's service league, hereinafter referred to as KCSL, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing for the prevention and treatment of child abuse and maltreatment as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of KCSL for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for KCSL for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by KCSL. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for KCSL. When KCSL contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to KCSL a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the

director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, KCSL shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(vvv) all sales of tangible personal property or services, including the renting and leasing of tangible personal property or services, purchased by jazz in the woods, inc., a Kansas corporation that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing jazz in the woods, an event benefiting children-in-need and other nonprofit charities assisting such children, and all sales of any such property by or on behalf of such organization for such purpose;

(www) all sales of tangible personal property purchased by or on behalf of the Frontenac education foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education support for students, and all sales of any such property by or on behalf of such organization for such purpose;

(xxx) all sales of personal property and services purchased by the booth theatre foundation, inc., an organization, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such personal property and services are used by any such organization in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling of the booth theatre, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling the booth theatre for such organization, that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under

such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after January 1, 2007, but prior to the effective date of this act upon the gross receipts received from any sale which would have been exempted by the provisions of this subsection had such sale occurred after the effective date of this act shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(yyy) all sales of tangible personal property and services purchased by TLC charities foundation, inc., hereinafter referred to as TLC charities, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of encouraging private philanthropy to further the vision, values, and goals of TLC for children and families, inc.; and all sales of such property and services by or on behalf of TLC charities for any such purpose and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC charities for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by TLC charities. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC charities. When TLC charities contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC charities a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the

contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be incorporated into the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC charities shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(zzz) all sales of tangible personal property purchased by the rotary club of shawnee foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, as amended, used for the purpose of providing contributions to community service organizations and scholarships;

(aaaa) all sales of personal property and services purchased by or on behalf of victory in the valley, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing a cancer support group and services for persons with cancer, and all sales of any such property by or on behalf of any such organization for any such purpose;

(bbbb) all sales of entry or participation fees, charges or tickets by Guadalupe health foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for such organization's annual fundraising event which purpose is to provide health care services for uninsured workers;

(cccc) all sales of tangible personal property or services purchased by or on behalf of wayside waifs, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing such organization's annual fundraiser, an event whose purpose is to support the care of homeless and abandoned animals, animal adoption efforts, education programs for children and efforts to reduce animal over-population and animal welfare services, and all sales of any such property, including entry or participation fees or charges, by or on behalf of such organization for such purpose;

(dddd) all sales of tangible personal property or services purchased by or on behalf of goodwill industries or Easter seals of Kansas, inc., both of which are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education, training and employment opportunities for people with disabilities and other barriers to employment;

(eeee) all sales of tangible personal property or services purchased by or on behalf of all American beef battalion, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of

educating, promoting and participating as a contact group through the beef cattle industry in order to carry out such projects that provide support and morale to members of the United States armed forces and military services;

(ffff) all sales of tangible personal property and services purchased by sheltered living, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing residential and day services for people with developmental disabilities or intellectual disability, or both, and all sales of any such property by or on behalf of sheltered living, inc., for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling homes and facilities for sheltered living, inc., for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by sheltered living, inc. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities for sheltered living, inc. When sheltered living, inc., contracts for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to sheltered living, inc., a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, sheltered living, inc., shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(gggg) all sales of game birds for which the primary purpose is use in hunting;

(hhhh) all sales of tangible personal property or services purchased on or after July 1, 2014, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business identified under the North American industry classification system (NAICS) subsectors 1123, 1124, 112112, 112120 or 112210, and

the sale and installation of machinery and equipment purchased for installation at any such business. The exemption provided in this subsection shall not apply to projects that have actual total costs less than \$50,000. When a person contracts for the construction, reconstruction, enlargement or remodeling of any such business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to the owner of the business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor of the contractor, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(iii) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for Wichita children's home for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by Wichita children's home. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for Wichita children's home. When Wichita children's home contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to Wichita children's home a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, Wichita children's home shall be liable for the tax on all materials purchased for the project, and upon payment, it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor, who shall use or otherwise dispose of any

materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(jjjj) all sales of tangible personal property or services purchased by or on behalf of the beacon, inc., that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing those desiring help with food, shelter, clothing and other necessities of life during times of special need;

(kkkk) all sales of tangible personal property and services purchased by or on behalf of reaching out from within, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of sponsoring self-help programs for incarcerated persons that will enable such incarcerated persons to become role models for non-violence while in correctional facilities and productive family members and citizens upon return to the community;

(llll) all sales of tangible personal property and services purchased by Gove county healthcare endowment foundation, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of constructing and equipping an airport in Quinter, Kansas, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing and equipping an airport in Quinter, Kansas, for such organization, that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing or equipping of facilities for such organization. When such organization shall contract for the purpose of constructing or equipping an airport in Quinter, Kansas, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation no later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon

such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. The provisions of this subsection shall expire and have no effect on and after July 1, 2019;

(mmmm) all sales of gold or silver coins; and palladium, platinum, gold or silver bullion. For the purposes of this subsection, "bullion" means bars, ingots or commemorative medallions of gold, silver, platinum, palladium, or a combination thereof, for which the value of the metal depends on its content and not the form;

(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; ~~and~~

(oooo) all sales of tangible personal property or services purchased for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a qualified business facility by a qualified firm or qualified supplier that meets the requirements established in K.S.A. 2022 Supp. 74-50,312 and 74-50,319, and amendments thereto, and that has been approved for a project exemption certificate by the secretary of commerce, and the sale and installation of machinery and equipment purchased by such qualified firm or qualified supplier for installation at any such qualified business facility. When a person shall contract for the construction, reconstruction, enlargement or remodeling of any such qualified business facility, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to the owner of the qualified firm or qualified supplier a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. As used in this subsection, "qualified business facility," "qualified firm" and "qualified supplier" mean the same as defined in K.S.A. 2022 Supp. 74-50,311, and amendments thereto;

(pppp) (1) all sales of tangible personal property or services purchased by a not-for-profit corporation that is designated as an area agency on aging by the secretary for aging and disabilities services and is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code for the purpose of coordinating and providing seniors and those living with disabilities with services that promote

person-centered care, including home-delivered meals, congregate meal settings, long-term case management, transportation, information, assistance and other preventative and intervention services to help service recipients remain in their homes and communities or for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for such area agency on aging; and

(2) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for an area agency on aging that would be exempt from taxation under the provisions of this section if purchased directly by such area agency on aging. Nothing in this paragraph shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for an area agency on aging. When an area agency on aging contracts for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and such contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such area agency on aging a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the area agency on aging concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof, the area agency on aging may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto; and

(qqqq) all sales of tangible personal property or services purchased by Kansas suicide prevention HQ, inc., 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 bringing suicide prevention training and awareness to communities across the state.

Sec. 10. K.S.A. 12-187, 12-189, 12-192, 79-2001 and 79-2017 and K.S.A. 2022 Supp. 19-430, 79-1460 and 79-3606 are hereby repealed.";

And by renumbering sections accordingly;

Also on page 16, in line 9, by striking "Kansas register" and inserting "statute book";

On page 1, in the title, in line 1, by striking "property"; in line 2, by striking all after "to"; by striking all in lines 3 through 11; in line 12, by striking all before the semicolon and inserting "sales and compensating use tax; providing countywide retailers' sales tax authority by Dickinson and Grant counties; providing for a sales tax exemption for area agencies on aging and purchases made by Kansas suicide prevention HQ, inc.; relating to warrants issued by the secretary of revenue; providing that the secretary of revenue file a release of warrant in the county where such warrant is docketed; relating to property tax; relating to qualifications for designation as a registered mass appraiser; granting authority to the director of property valuation to develop qualifying courses; providing that certain tax notices and statements may be transmitted by electronic means by the county treasurer and county appraiser if consented to by the taxpayer"; also in line 12, by striking "79-1496" and inserting "12-187, 12-189, 12-192, 79-2001 and 79-2017"; in line 13, by striking "79-1460, 79-2005, 79-2988 and 79-2989" and inserting "19-430, 79-1460 and 79-3606";

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

CARYN TYSON

VIRGIL PECK

TOM HOLLAND

Conferees on part of Senate

ADAM SMITH

BRIAN BERGKAMP

TOM SAWYER

Conferees on part of House

Senator Tyson moved the Senate adopt the Conference Committee Report on **HB 2002**.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 37; Nays 0; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

Absent or Not Voting: Blasi, McGinn, Shallenburger.

The Conference Committee Report was adopted.

The Call was lifted.

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 as Senate Substitute for House

Bill No. 2390, as follows:

On page 3, following line 14, by inserting:

"Sec. 2. K.S.A. 2022 Supp. 44-663 is hereby amended to read as follows: 44-663.

(a) Notwithstanding any provision of law to the contrary, if an employer implements a COVID-19 vaccine requirement, the employer shall exempt an employee from such requirement, without punitive action, if the employee submits a written waiver request to the employer stating that complying with such requirement would:

(1) Endanger the life or health of the employee or an individual who resides with the employee, as evidenced by an accompanying written statement signed by a physician or another person who performs acts pursuant to practice agreements, protocols or at the order, direction or delegation of a physician; or

(2) violate sincerely held religious beliefs of the employee, as evidenced by an accompanying written statement signed by the employee.

(b) An employer shall grant an exemption requested in accordance with this section based on sincerely held religious beliefs without inquiring into the sincerity of the request.

(c) (1) An employee aggrieved by a violation of this section may file a complaint with the secretary of labor alleging that an employer failed to offer an exemption, improperly denied an exemption request, took punitive action against the employee or committed any other violation of this section.

(2) (A) The secretary of labor shall promptly commence an investigation of each complaint filed pursuant to this subsection. The secretary shall complete such investigation and issue a final order within 60 calendar days after the filing of the complaint. At a minimum, the investigation shall determine whether:

(i) The employer imposed a COVID-19 vaccine requirement;

(ii) the employee submitted a written waiver request in accordance with this section; and

(iii) the employer committed any violation of this section.

(B) Upon completing the investigation, the secretary of labor shall issue an order containing findings and conclusions as to whether the employer violated this section and provide such order to the employee and the employer. Such order is a final order for purposes of judicial review and shall state the right of the employee or the employer to appeal as provided in the Kansas judicial review act.

(C) If the secretary of labor issues a final order finding that an employer violated this section, the secretary shall issue an order containing such findings and provide such order to the employee, the employer and the attorney general.

(3) (A) Except as provided in paragraph (3)(B), upon receipt of an order from the secretary of labor pursuant to paragraph (2), the attorney general shall secure enforcement of such order by filing an action in an appropriate district court to impose civil penalties.

(B) The attorney general shall not file a civil action against an employer if the employer reinstates the terminated employee with back pay to the date that the complaint was received by the secretary of labor under this subsection.

(C) In an action filed pursuant to this subsection, the court may impose a civil penalty not to exceed:

(i) \$10,000 per violation for an employer with fewer than 100 employees; or

(ii) \$50,000 per violation for an employer with 100 or more employees.

(D) In determining the amount of the civil penalty for a violation, the court may consider the following factors:

- (i) Whether the employer knowingly and willfully violated this section;
- (ii) whether the employer has shown good faith in attempting to comply with this section;
- (iii) whether the employer has taken action to correct the violation;
- (iv) whether the employer has been previously assessed a civil penalty for violating this section; and
- (v) any other mitigating or aggravating factor that fairness or due process requires.

(4) All civil penalties assessed and collected under 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 employment security fund, established by K.S.A. 44-712, and amendments thereto.

(d) As used in this section:

(1) "COVID-19 vaccine" means an immunization, vaccination or injection against disease caused by the novel coronavirus identified as SARS-CoV-2 or disease caused by a variant of the virus;

(2) "COVID-19 vaccine requirement" means that an employer:

(A) Requires an employee to receive a COVID-19 vaccine;

(B) requires an employee to provide documentation certifying receipt of a COVID-19 vaccine; or

(C) enforces a requirement described in subparagraph (A) or (B) that is imposed by the federal government or any other entity;

(3) "employee" means:

(A) An individual who is employed in this state for wages by an employer;

(B) an applicant for employment by an employer; ~~or~~

(C) a noncompensated intern or apprentice for an employer; or

(D) a student attending a public or nonpublic high school or a postsecondary educational institution who, as part of coursework, interacts with patients and delivers care at a healthcare facility under the supervision of an individual licensed to provide such patient care;

(4) "employer" means any person in this state who employs one or more persons and includes the state of Kansas and all political subdivisions of the state;

(5) "person" means an individual, partnership, association, organization, corporation, legal representative, trustee, trustee in bankruptcy or receiver;

(6) "physician" means an individual licensed by the state board of healing arts to practice medicine and surgery;

(7) "punitive action" means any of the following actions related to the employee's exemption request: Dismissal, demotion, transfer, reassignment, suspension, reprimand, warning of possible dismissal, withholding of work or assessing any monetary penalty or unreasonable charge; and

(8) "religious beliefs" includes, but is not limited to, theistic and non-theistic moral and ethical beliefs as to what is right and wrong that are sincerely held with the strength of traditional religious views.";

On page 9, following line 8, by inserting:

"Sec. 11. K.S.A. 65-508 is hereby amended to read as follows: 65-508. (a) ~~Any~~A

maternity center or child care facility subject to the provisions of this act shall:

- (1) Be properly heated, plumbed, lighted and ventilated;
- (2) have plumbing, water and sewerage systems—~~which that~~ conform to all applicable state and local laws; and
- (3) be operated with strict regard to the health, safety and welfare of any woman or child.

(b) Every maternity center or child care facility shall furnish or cause to be furnished for the use of each resident and employee individual towel, ~~wash cloth~~ washcloth, comb and individual drinking cup or sanitary bubbling fountain, and toothbrushes for all other than infants, and shall keep or require such articles to be kept at all times in a clean and sanitary condition. Every maternity center or child care facility shall comply with all applicable fire codes and rules and regulations of the state fire marshal.

(c) (1) The secretary of health and environment with the cooperation of the secretary for children and families shall develop and adopt rules and regulations for the operation and maintenance of maternity centers and child care facilities. The rules and regulations for operating and maintaining maternity centers and child care facilities shall be designed to promote the health, safety and welfare of any woman or child served in such facilities by ensuring safe and adequate physical surroundings, healthful food, adequate handwashing, safe storage of toxic substances and hazardous chemicals, sanitary diapering and toileting, home sanitation, supervision and care of the residents by capable, qualified persons of sufficient number, after-hour care, an adequate program of activities and services, sudden infant death syndrome and safe sleep practices training, prohibition on corporal punishment, crib safety, protection from electrical hazards, protection from swimming pools and other water sources, fire drills, emergency plans, safety of outdoor playground surfaces, door locks, safety gates and transportation and such appropriate parental participation as may be feasible under the circumstances. Boarding schools are excluded from requirements regarding the number of qualified persons who must supervise and provide care to residents.

(2) Rules and regulations developed under this subsection shall include provisions for the competent supervision and care of children in day care facilities. For purposes of such rules and regulations, competent supervision as this term relates to children less than five years of age includes, but is not limited to, direction of activities, adequate oversight including sight or sound monitoring, or both, physical proximity to children, diapering and toileting practices; and for all children, competent supervision includes, but is not limited to, planning and supervision of daily activities, safe sleep practices, including, but not limited to, visual or sound monitoring, periodic checking, emergency response procedures and drills, illness and injury response procedures, food service preparation and sanitation, playground supervision, pool and water safety practices.

(d) In addition to any rules and regulations adopted under this section for safe sleep practices, child care facilities shall ensure that all of the following requirements are met for children under 12 months of age:

- (1) A child shall only be placed to sleep on a surface and in an area that has been approved for use as such by the secretary of health and environment;
- (2) the sleep surface shall be free from soft or loose bedding, including, but not limited to, blankets, bumpers and pillows; and
- (3) the sleep surface shall be free from toys, including mobiles and other types of

play equipment or devices.

(e) Child care facilities shall ensure that children over 12 months of age only be placed to sleep on a surface and in an area that has been approved for use as such by the secretary of health and environment.

(f) The secretary of health and environment may exercise discretion to make exceptions to requirements in subsections (d) and (e) where special health needs exist.

(g)(1) Each child cared for in a child care facility, including children of the person maintaining the facility, shall be required to have current such immunizations as the secretary of health and environment considers necessary. The person maintaining a child care facility shall maintain a record of each child's immunizations and shall provide to the secretary of health and environment such information relating thereto, in accordance with rules and regulations of the secretary, but the person maintaining a child care facility shall not have such person's license revoked solely for the failure to have or to maintain the immunization records required by this subsection.

(2) (A) The secretary of health and environment shall not require a child cared for in a child care facility to receive a COVID-19 vaccine.

(B) As used in this paragraph, "COVID-19 vaccine" means an immunization, vaccination or injection against disease caused by the novel coronavirus identified as SARS-CoV-2 or disease caused by a variant of the virus.

(h)(1) ~~The~~Any other immunization requirement of subsection (g) shall not apply if one of the following is obtained:

~~(+)~~(A) Certification from a licensed physician stating that the physical condition of the child is such that immunization would endanger the child's life or health; or

~~(2)~~(B) a written statement signed by ~~a~~ at least one parent or guardian stating that the requirement would violate sincerely held religious beliefs of the parent or guardian is an adherent of a religious denomination whose teachings are opposed to immunizations.

(2) The person maintaining a child care facility shall grant an exemption requested in accordance with this subsection based on sincerely held religious beliefs without inquiring into the sincerity of the request.

(3) As used in this section, "religious beliefs" includes, but is not limited to, theistic and non-theistic moral and ethical beliefs as to what is right and wrong that are sincerely held with the strength of traditional religious views."

On page 11, following line 23, by inserting:

"Sec. 13. K.S.A. 72-6262 is hereby amended to read as follows: 72-6262. (a) (1) In each school year, every ~~pupil student~~ enrolling or enrolled in any school for the first time in this state, and each child enrolling or enrolled for the first time in a preschool or day care program operated by a school, and such other ~~pupils students~~ as may be designated by the secretary, prior to admission to and attendance at school, shall present to the appropriate school board certification from a physician or local health department that the ~~pupil student~~ has received such tests and inoculations as are deemed necessary by the secretary by such means as are approved by the secretary. ~~Pupils Students~~ who have not completed the required inoculations may enroll or remain enrolled while completing the required inoculations if a physician or local health department certifies that the ~~pupil student~~ has received the most recent appropriate inoculations in all required series. Failure to timely complete all required series shall be deemed non-compliance.

(2) (A) The secretary of health and environment shall not require a student described in paragraph (1) to receive a COVID-19 vaccine.

(B) As used in this paragraph, "COVID-19 vaccine" means an immunization, vaccination or injection against disease caused by the novel coronavirus identified as SARS-CoV-2 or disease caused by a variant of the virus.

(b)(1) As an alternative to the any other certification required under subsection (a), a pupil student shall present:

(1)(A) An annual written statement signed by a licensed physician stating the physical condition of the child to be is such that the tests or inoculations would seriously endanger the life or health of the child; or

(2)(B) a written statement signed by at least one parent or guardian stating that the requirement would violate sincerely held religious beliefs of the child is an adherent of a religious denomination whose religious teachings are opposed to such tests or inoculations.

(2) The board of education of a school district shall grant such alternative to the certification presented in this subsection based on sincerely held religious beliefs without inquiring into the sincerity of the request.

(3) As used in this section, "religious beliefs" includes, but is not limited to, theistic and non-theistic moral and ethical beliefs as to what is right and wrong that are sincerely held with the strength of traditional religious views.

(c) On or before May 15 of each school year, the school board of every school affected by this act shall notify the parents or guardians of all known ~~pupils~~ students who are enrolled or who will be enrolling in the school of the provisions this act and any policy regarding the implementation of the provisions of this act adopted by the school board.

(d) If a ~~pupil~~ pupil student transfers from one school to another, the school from which the ~~pupil~~ pupil student transfers shall forward with the ~~pupil's~~ pupil student's transcript the certification or statement showing evidence of compliance with the requirements of this act to the school to which the ~~pupil~~ pupil student transfers.";

Also on page 11, in line 25, by striking the first "and" and inserting a comma; also in line 25, after "65-129d" by inserting ", 65-508 and 72-6262"; also in line 25, after "Supp." by inserting "44-663,";

And by renumbering sections accordingly;

On page 1, in the title, in line 8, after the semicolon by inserting "relating to vaccinations; requirements to attend child care facilities and elementary, secondary and public or private postsecondary educational institutions; prohibiting an inquiry into the sincerity of a request for an exemption from vaccine requirements; prohibiting the secretary of health and environment from requiring a COVID-19 vaccination in order to attend a child care facility or school;"; in line 9, by striking the first "and" and inserting a comma; also in line 9, after "65-129d" by inserting ", 65-508 and 72-6262"; also in line 9, after "Supp." by inserting "44-663,";

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

BEVERLY GOSSAGE

RENEE ERICKSON

Conferees on part of Senate

WILL CARPENTER

SUSAN HUMPHRIES

Conferees on part of House

The motion of Senator Gossage to adopt the conference committee report on **S Sub HB 2390** failed.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 19; Nays 18; Present and Passing 0; Absent or Not Voting 3.

Yeas: Alley, Baumgardner, Billinger, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Olson, Peck, Petersen, Pyle, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Longbine, Masterson, O'Shea, Pettey, Pittman, Reddi, Ryckman, Sykes, Ware.

Absent or Not Voting: Blasi, McGinn, Shallenburger.

The Conference Committee Report was not adopted.

The Call was lifted.

Senator Pettey having voted on the prevailing side, moved to reconsider previous action on **S Sub HB 2390**. Motion failed.

On motion of Senator Alley, the Senate recessed until the sound of the gavel.

The Senate met pursuant to recess with President Masterson in the chair.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **H Sub SB 229**.

The House adopts the Conference Committee report on **S Sub HB 2138**.

Announcing adoption of **SCR 1612**.

The House adopts the Conference Committee report on **SB 26**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **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 with House Committee amendments, as follows:

On page 1, by striking all in lines 8 through 36;

By striking all on page 2;

On page 3, by striking all in lines 1 through 41; following line 41 by inserting:

"New Section 1. (a) An individual who had a childhood gender reassignment service performed on such individual as a child may bring a civil cause of action against the physician who performed the childhood gender reassignment service.

(1) An action against a physician pursuant to this section may be commenced not more than three years after the date the individual attains 18 years of age.

(b) As used in this section:

(1) "Childhood gender reassignment service" means performing, or causing to be performed, acts including, but not limited to, any of the following performed upon a

child under 18 years of age for the purpose of attempting to affirm the child's perception of the child's sex or gender, if that perception is inconsistent with the child's sex:

(A) A surgery that sterilizes or is intended to result in sterilization, including, but not limited to, castration, vasectomy, hysterectomy, oophorectomy, orchiectomy and penectomy;

(B) a surgery that artificially constructs tissue with the appearance of genitalia, including, but not limited to, metoidioplasty, phalloplasty and vaginoplasty;

(C) a mastectomy;

(D) prescribing, dispensing, administering or otherwise supplying the following medications:

(i) Puberty-blocking medication to delay, hinder, stop or reverse normal puberty;

(ii) supraphysiologic doses of testosterone to females; or

(iii) supraphysiologic doses of estrogen to males; or

(E) removing any body part or tissue.

(2) "Physician" means a person licensed by the board of healing arts to practice medicine and surgery.

(3) "Sex" means the biological state of being female or male based on the individual's sex organs, chromosomes and endogenous hormone profiles.

(4) "Supraphysiologic doses" means a pharmacologic dosage regimen that produces blood concentrations greater than the accepted range for a child's age and sex.

(c) The provisions of this section shall not apply if the child was born with a medically verifiable disorder of sex development, including, but not limited to:

(1) A child with external biological sex characteristics that are irresolvably ambiguous, such as a child born having 46,XX chromosomes with virilization, 46,XY chromosomes with undervirilization or both ovarian and testicular tissue; or

(2) when a physician has otherwise diagnosed a disorder of sexual development, in which the physician has determined through genetic or biochemical testing that the child does not have the normal sex chromosome structure, sex steroid hormone production or sex steroid hormone action for a male or female of the child's age.

(d) (1) An individual who brings an action under this section may seek actual damages, exemplary or punitive damages, injunctive relief and other appropriate relief.

(2) In an action brought under this section, the court shall award a prevailing plaintiff the cost of the suit including reasonable attorney fees.

(e) This section shall be applicable to:

(1) Any action commenced on or after July 1, 2023, including any action that would be barred by the period of limitation applicable prior to July 1, 2023; and

(2) any action commenced prior to July 1, 2023, and pending on July 1, 2023.

(f) This section shall be known and may be cited as the Kansas child mutilation prevention act.

Sec. 2. K.S.A. 2022 Supp. 65-2836 is hereby amended to read as follows: 65-2836. (a) A licensee's license may be revoked, suspended or limited, or the licensee may be publicly censured or placed under probationary conditions, or an application for a license or for reinstatement of a license may be denied upon a finding of the existence of any of the following grounds:

(~~a~~)(1) The licensee has committed fraud or misrepresentation in applying for or securing an original, renewal or reinstated license.

(~~b~~)(2) The licensee has committed an act of unprofessional or dishonorable conduct

or professional incompetency, except that the board may take appropriate disciplinary action or enter into a non-disciplinary resolution when a licensee has engaged in any conduct or professional practice on a single occasion that, if continued, would reasonably be expected to constitute an inability to practice the healing arts with reasonable skill and safety to patients or unprofessional conduct as defined in K.S.A. 65-2837, and amendments thereto.

~~(e)~~(3) The licensee has been convicted of a felony or class A misdemeanor, or substantially similar offense in another jurisdiction, whether or not related to the practice of the healing arts, or the licensee has been convicted in a special or general court-martial, whether or not related to the practice of the healing arts. The board shall revoke a licensee's license following conviction of a felony or substantially similar offense in another jurisdiction, or following conviction in a general court-martial occurring after July 1, 2000, unless a $\frac{2}{3}$ majority of the board members present and voting determine by clear and convincing evidence that such licensee will not pose a threat to the public in such person's capacity as a licensee and that such person has been sufficiently rehabilitated to warrant the public trust. In the case of a person who has been convicted of a felony or convicted in a general court-martial and who applies for an original license or to reinstate a canceled license, the application for a license shall be denied unless a $\frac{2}{3}$ majority of the board members present and voting on such application determine by clear and convincing evidence that such person will not pose a threat to the public in such person's capacity as a licensee and that such person has been sufficiently rehabilitated to warrant the public trust.

~~(d)~~(4) The licensee has used fraudulent or false advertisements.

~~(e)~~(5) The licensee is addicted to or has distributed intoxicating liquors or drugs for any other than lawful purposes.

~~(f)~~(6) The licensee has willfully or repeatedly violated this act, the pharmacy act of the state of Kansas or the uniform controlled substances act, or any rules and regulations adopted pursuant thereto, or any rules and regulations of the secretary of health and environment that are relevant to the practice of the healing arts.

~~(g)~~(7) The licensee has unlawfully invaded the field of practice of any branch of the healing arts in which the licensee is not licensed to practice.

~~(h)~~(8) The licensee has engaged in the practice of the healing arts under a false or assumed name, or the impersonation of another practitioner. The provisions of this subsection relating to an assumed name shall not apply to licensees practicing under a professional corporation, under a business entity that holds a certificate of authorization pursuant to K.S.A. 2022 Supp. 65-28,134, and amendments thereto, or under any other legal entity duly authorized to provide such professional services in the state of Kansas.

~~(i)~~(9) The licensee's ability to practice the healing arts with reasonable skill and safety to patients is impaired by reason of physical or mental illness, or condition or use of alcohol, drugs or controlled substances. All information, reports, findings and other records relating to impairment shall be confidential and not subject to discovery by or release to any person or entity outside of a board proceeding.

~~(j)~~(10) The licensee has had a license to practice the healing arts revoked, suspended or limited, has been censured or has had other disciplinary action taken, or an application for a license denied, by the proper licensing authority of another state, territory, District of Columbia, or other country.

~~(k)~~(11) The licensee has violated any lawful rule and regulation promulgated by the

board or violated any lawful order or directive of the board previously entered by the board.

~~(h)~~(12) The licensee has failed to report or reveal the knowledge required to be reported or revealed under K.S.A. 65-28,122, and amendments thereto.

~~(m)~~(13) The licensee, if licensed to practice medicine and surgery, has failed to inform in writing a patient suffering from any form of abnormality of the breast tissue for which surgery is a recommended form of treatment, of alternative methods of treatment recognized by licensees of the same profession in the same or similar communities as being acceptable under like conditions and circumstances.

~~(n)~~(14) The licensee has cheated on or attempted to subvert the validity of the examination for a license.

~~(o)~~(15) The licensee has been found to be mentally ill, disabled, not guilty by reason of insanity, not guilty because the licensee suffers from a mental disease or defect or incompetent to stand trial by a court of competent jurisdiction.

~~(p)~~(16) The licensee has prescribed, sold, administered, distributed or given a controlled substance to any person for other than medically accepted or lawful purposes.

~~(q)~~(17) The licensee has violated a federal law or regulation relating to controlled substances.

~~(r)~~(18) The licensee has failed to furnish the board, or its investigators or representatives, any information legally requested by the board.

~~(s)~~(19) Sanctions or disciplinary actions have been taken against the licensee by a peer review committee, healthcare facility, a governmental agency or department or a professional association or society for acts or conduct similar to acts or conduct that would constitute grounds for disciplinary action under this section.

~~(t)~~(20) The licensee has failed to report to the board any adverse action taken against the licensee by another state or licensing jurisdiction, a peer review body, a healthcare facility, a professional association or society, a governmental agency, by a law enforcement agency or a court for acts or conduct similar to acts or conduct that would constitute grounds for disciplinary action under this section.

~~(u)~~(21) The licensee has surrendered a license or authorization to practice the healing arts in another state or jurisdiction, has surrendered the authority to utilize controlled substances issued by any state or federal agency, has agreed to a limitation to or restriction of privileges at any medical care facility or has surrendered the licensee's membership on any professional staff or in any professional association or society while under investigation for acts or conduct similar to acts or conduct that would constitute grounds for disciplinary action under this section.

~~(v)~~(22) The licensee has failed to report to the board surrender of the licensee's license or authorization to practice the healing arts in another state or jurisdiction or surrender of the licensee's membership on any professional staff or in any professional association or society while under investigation for acts or conduct similar to acts or conduct that would constitute grounds for disciplinary action under this section.

~~(w)~~(23) The licensee has an adverse judgment, award or settlement against the licensee resulting from a medical liability claim related to acts or conduct similar to acts or conduct that would constitute grounds for disciplinary action under this section.

~~(x)~~(24) The licensee has failed to report to the board any adverse judgment, settlement or award against the licensee resulting from a medical malpractice liability

claim related to acts or conduct similar to acts or conduct that would constitute grounds for disciplinary action under this section.

~~(y)~~(25) The licensee has failed to maintain a policy of professional liability insurance as required by K.S.A. 40-3402 or 40-3403a, and amendments thereto.

~~(z)~~(26) The licensee has failed to pay the premium surcharges as required by K.S.A. 40-3404, and amendments thereto.

~~(aa)~~(27) The licensee has knowingly submitted any misleading, deceptive, untrue or fraudulent representation on a claim form, bill or statement.

~~(bb)~~(28) The licensee as the supervising physician for a physician assistant has failed to adequately direct and supervise the physician assistant in accordance with the physician assistant licensure act or rules and regulations adopted under such act.

~~(ee)~~(29) The licensee has assisted suicide in violation of K.S.A. 21-3406, prior to its repeal, or K.S.A. 2022 Supp. 21-5407, and amendments thereto, as established by any of the following:

~~(H)~~(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. 2022 Supp. 21-5407, and amendments thereto.

~~(2)~~(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.

~~(3)~~(C) A copy of the record of a judgment assessing damages under K.S.A. 60-4405, and amendments thereto.

~~(dd)~~(30) The licensee has given a worthless check or stopped payment on a debit or credit card for fees or moneys legally due to the board.

~~(ee)~~(31) The licensee has knowingly or negligently abandoned medical records.

(b) A physician's license shall be revoked upon a finding that the physician has performed a childhood gender reassignment service, as defined in section 1, and amendments thereto.

Sec. 3. K.S.A. 2022 Supp. 65-2836 is hereby repealed.";

Also on page 3, in line 43, 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 semicolon and inserting "gender identity medical care; creating a civil cause of action against a physician who performs childhood gender reassignment service; requiring revocation of a physician's license if such physician performs childhood gender reassignment service"; also in line 4, by striking "40-3203" and inserting "2022 Supp. 65-2836";

WILL CARPENTER

SUSAN HUMPHRIES

Conferees on part of House

BEVERLY GOSSAGE

RENEE ERICKSON

Conferees on part of Senate

Senator Gossage moved the Senate adopt the Conference Committee Report on **SB 26**.

On roll call, the vote was: Yeas 23; Nays 12; Present and Passing 1; Absent or Not Voting 4.

Yeas: Alley, Baumgardner, Billinger, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, Olson, Peck, Petersen, Pyle, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Present and Passing: Doll.

Absent or Not Voting: Blasi, McGinn, O'Shea, Shallenburger.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 229** 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. 229, as follows:

On page 1, in line 11, before "Section" by inserting "New";

On page 3, following line 24, by inserting:

"New Sec. 2. (a) Subject to appropriations and except as provided further, on January 1, 2025, and each January 1 thereafter:

(1) The governor shall receive for services an annual salary equal to the amount of annual rate of pay for a member of congress of the United States, not in a leadership role, on such date;

(2) the attorney general shall receive for services an annual salary equal to the amount of annual rate of pay for a member of congress of the United States, not in a leadership role, on such date, minus 2.5% of such congressional annual rate of pay; and

(3) the secretary of state, state treasurer and commissioner of insurance shall receive for services an annual salary equal to the amount of annual rate of pay for a member of congress of the United States, not in a leadership role, on such date, minus 7.5% of such congressional annual rate of pay.

(b) If, for any reason, such congressional salary is decreased, the salaries established in this section shall remain the same for the next ensuing fiscal year unless diminished by general law applicable to all salaried officers of the state.

New Sec. 3. (a) Subject to appropriations and except as provided further, on January 1, 2025, and each January 1 thereafter:

(1) A district judge who is not a chief judge of a judicial district shall receive for services an annual salary equal to 75% of the annual rate of pay for a district judge of the United States on such date;

(2) a district magistrate judge shall receive for services an annual salary equal to 55% of a district judge's salary as determined pursuant to subsection (a)(1);

(3) a chief judge of the district court shall receive for services an annual salary equal to 105% of a district judge's salary as determined pursuant to subsection (a)(1);

(4) a judge of the court of appeals who is not chief judge of the court of appeals shall receive for services an annual salary equal to 110% of a district judge's salary as

determined pursuant to subsection (a)(1);

(5) the chief judge of the court of appeals shall receive for services an annual salary equal to 115% of a district judge's salary as determined pursuant to subsection (a)(1);

(6) a justice of the supreme court who is not chief justice of the supreme court shall receive for services an annual salary equal to 120% of a district judge's salary as determined pursuant to subsection (a)(1); and

(7) the chief justice of the supreme court shall receive for services an annual salary equal to 125% of a district judge's salary as determined pursuant to subsection (a)(1).

(b) If, for any reason, such district judge of the United States salary is decreased, the salaries established in this section shall remain the same for the next ensuing fiscal year unless diminished by general law applicable to all salaried officers of the state.

Sec. 4. On and after January 1, 2025, K.S.A. 2022 Supp. 20-318 is hereby amended to read as follows: 20-318. (a) There is hereby created within the state of Kansas; a judicial department for the supervision of all courts in the state of Kansas. The supreme court shall divide the state into separate sections, not to exceed six in number, to be known as judicial departments, each of which shall be assigned a designation to distinguish it from the other departments. A justice of the supreme court shall be assigned as departmental justice for each judicial department.

(b) There is created hereby the position of judicial administrator of the courts, who shall be appointed by the chief justice of the supreme court to serve at the will of the chief justice. The judicial administrator shall have a broad knowledge of judicial administration and substantial prior experience in an administrative capacity. No person appointed as judicial administrator shall engage in the practice of law while serving in such capacity. Compensation of the judicial administrator shall be determined by the justices, ~~but shall not exceed the salary authorized by law for the judge of the district court.~~ The judicial administrator shall be responsible to the chief justice of the supreme court of the state of Kansas; and shall implement the policies of the court with respect to the operation and administration of the courts, subject to the provisions of K.S.A. 2022 Supp. 20-384, and amendments thereto, under the supervision of the chief justice. The administrator shall perform such other duties as are provided by law or assigned by the supreme court or the chief justice.

(c) Expenditures from appropriations for district court operations to be paid by the state shall be made on vouchers approved by the judicial administrator. All claims for salaries, wages or other compensation for district court operations to be paid by the state shall be certified as provided in K.S.A. 75-3731, and amendments thereto, by the judicial administrator.

Sec. 5. On and after January 1, 2025, K.S.A. 20-2616 is hereby amended to read as follows: 20-2616. (a) Any retired justice of the supreme court, retired judge of the court of appeals, retired district judge or retired associate district judge may be designated and assigned to perform such judicial service and duties as such retired justice or judge is willing to undertake. Designation and assignment of a retired justice or judge in connection with any matter pending in the supreme court shall be made by the supreme court. Designation and assignment of a retired justice or judge in connection with any matter pending in any other court, including any court located within the judicial district in which the justice or judge resides, or to perform any other judicial service or duties shall be made by the chief justice of the supreme court. Any such judicial service or duties shall include necessary preparation and other out-of-court judicial service for

hearings or for deciding matters or cases in conjunction with the judicial services and duties assigned under this section. Any designation and assignment may be revoked in the same manner and all such designations and assignments and revocations shall be filed of record in the office of the clerk of the court to which such assignment is made.

(b) A retired justice or judge so designated and assigned to perform judicial service or duties shall have the power and authority to hear and determine all matters covered by the assignment.

(c) Except as otherwise provided in this section, each retired justice or judge who performs judicial service or duties under this section shall receive: (1) Per diem compensation at the rate of per diem compensation in effect under K.S.A. 46-137a, and amendments thereto; (2) a per diem subsistence allowance at the per diem subsistence allowance rate in effect under K.S.A. 46-137a, and amendments thereto; (3) a mileage allowance at the rate fixed under K.S.A. 75-3203a, and amendments thereto; and (4) all actual and necessary expenses for other than subsistence or travel, including necessary stenographic assistance, as may be incurred in performing such service or duties.

(d) No retired justice or judge shall be entitled to receive per diem compensation under this section for any day in a fiscal year after the date that the total of (1) the amount of per diem compensation earned under this section during that fiscal year and (2) the amount of the retirement annuity payable to such retired justice or judge for that fiscal year under the retirement system for judges, becomes equal to or more than the amount of the current annual salary of a district judge paid by the state under ~~K.S.A. 75-3120g~~ section 4, and amendments thereto, but such retired justice or judge shall receive the subsistence allowance, mileage allowance and actual and necessary expenses as provided under this section after such date.

(e) As used in this section, a retired justice or judge shall not include those justices or judges who were not retained in office, were not reelected to office, have been impeached from office or removed by the supreme court from office.

Sec. 6. On and after January 1, 2025, K.S.A. 22a-105 is hereby amended to read as follows: 22a-105. Each of the district attorneys elected under this act shall receive an annual salary in the amount of no less than the salary provided for district judges in ~~K.S.A. 75-3120g~~ section 4, and amendments thereto. The salary of each district attorney shall be paid by the county comprising the judicial district in which the district attorney is elected in equal monthly installments and in the manner county officers and employees are paid. The district attorneys and their deputies and assistants shall be reimbursed for their actual travel and subsistence expenses incurred while in the performance of their official duties within or without the district.

Sec. 7. On and after January 1, 2025, K.S.A. 40-102 is hereby amended to read as follows: 40-102. There is hereby established a department to be known as the insurance department, ~~which and such department~~ shall have a chief officer entitled the commissioner of insurance ~~who shall receive, except as otherwise provided in K.S.A. 75-3111a, and amendments thereto, a salary at a biweekly pay rate of \$3,307.81, and such officer.~~ The commissioner of insurance shall be charged with the administration of all laws relating to insurance, insurance companies and fraternal benefit societies doing business in this state; and all other duties ~~which that~~ are or may be imposed upon such officer by law.

Sec. 8. On and after January 1, 2025, K.S.A. 75-3103 is hereby amended to read as follows: 75-3103. (a) The lieutenant governor shall receive; as reimbursement for

expenses the following: (1) ~~Biweekly the sum of \$76.91, except as otherwise provided in subsection (e), and (2) when attending the duties of office or attending any authorized meeting, in addition to other provisions of this section, travel expenses and subsistence expenses and allowances in amounts equal to those provided for by K.S.A. 75-3212, and amendments thereto.~~

~~(b)~~ In addition to any other compensation provided by law ~~and except as otherwise provided in K.S.A. 75-3111a, and amendments thereto,~~ the lieutenant governor shall also receive for services ~~in the performance of duties imposed by law compensation at the biweekly pay rate of \$1,204.35 an annual salary equal to 25% of the amount of annual rate of pay for a member of congress of the United States, not in a leadership role, on such date.~~ While acting as governor, the lieutenant governor shall receive the same salary as the governor. The lieutenant governor may appoint an administrative assistant and other office and stenographic employees, all of whom shall be in the unclassified service of the Kansas civil service act. Such administrative assistant shall receive travel expenses and subsistence expenses or allowances as provided by K.S.A. 75-3212, and amendments thereto, when traveling as authorized by the lieutenant governor.

~~(b)(c)~~ If the lieutenant governor is appointed by the governor under the provision of K.S.A. 75-303, and amendments thereto, the lieutenant governor shall receive a salary ~~to be fixed by the governor pursuant to section 3, and amendments thereto,~~ or a salary as provided for in subsection ~~(a) of this section (b),~~ whichever is greater.

~~(e)~~ Whenever the rates of compensation of the pay plan for persons in the classified service under the Kansas civil service act are increased for payroll periods chargeable to fiscal years commencing after June 30, 2009, the sum provided biweekly for reimbursement of expenses pursuant to subsection ~~(a)(1) for the lieutenant governor shall be increased on the effective date of any such pay plan increase by an amount computed by multiplying the average of the percentage increases in all steps of such pay plan by the biweekly sum provided to the lieutenant governor for reimbursement of expenses as authorized by this section.~~

Sec. 9. On and after January 1, 2025, K.S.A. 75-3120k is hereby amended to read as follows: 75-3120k. (a) ~~The annual salary of district magistrate judges shall be paid in equal installments each payroll period in accordance with this section.~~

~~(b)~~ Subject to the provisions of subsection (e) and except as otherwise provided in K.S.A. 75-3120l, and amendments thereto, the annual salary of district magistrate judges shall be \$59,059.

~~(e)~~ Within the limits of the appropriations therefor, the county or counties comprising the judicial district may supplement the salary of, or pay any compensation to, any district magistrate judge. Any such supplemental salary or compensation 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 district magistrate judge supplemental compensation fund. Any associated employer contributions and payments with respect to such supplemental salary or compensation that are made payable under law shall be paid by the county or counties providing such supplemental salary or compensation, in addition to such supplemental salary or compensation, in the same manner and under the same conditions and requirements as compensation payable pursuant to ~~subsection (b) section 4, and amendments thereto.~~ All such associated employer contributions and payments shall be remitted for deposit in the state treasury and shall be credited to the

district magistrate supplemental compensation fund at the same time and in the same manner as such supplemental salary or compensation. As used in this section, employer contributions shall include, and the county or counties shall be required to contribute, employer contributions required pursuant to K.S.A. 20-2605, and amendments thereto, for any district magistrate judge who is a member of the retirement system for judges.

~~(d)~~(b) There is hereby established in the state treasury the district magistrate judge supplemental compensation fund.

~~(e)~~(c) All moneys credited to the district magistrate judge supplemental compensation fund shall be paid to, or on behalf of, the district magistrate judge or district magistrate judges for whom such moneys were remitted by the county or counties subject to the same conditions or restrictions imposed or prescribed by law, including any applicable withholding or other taxes, associated employer contributions and authorized payroll deductions.

~~(f)~~(d) All expenditures from the district magistrate judge supplemental compensation fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to payrolls approved by the chief justice of the Kansas supreme court or by a person or persons designated by the chief justice.

~~(g)~~(e) All salary or other compensation under this section shall be considered to be compensation provided by law for services as a district magistrate judge for all purposes under law.";

Also on page 3, following line 25, by inserting:

"Sec. 11. On and after January 1, 2025, K.S.A. 20-2616, 22a-105, 40-102, 75-3101, 75-3103, 75-3104, 75-3108, 75-3110, 75-3111a, 75-3120f, 75-3120g, 75-3120h, 75-3120k and 75-3120l and K.S.A. 2022 Supp. 20-318 are hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "legislature; relating to"; in line 2, by striking "members thereof" and inserting "certain state officials"; in line 8, after the semicolon by inserting "relating to the salaries of the governor, lieutenant governor, attorney general, secretary of state, state treasurer and commissioner of insurance; establishing the rate of pay for such state officials based on the annual rate of pay for members of congress, as adjusted by the provisions of this act; relating to the salaries of the justices of the supreme court, judges of the court of appeals, district court judges and district magistrate judges; establishing the rate of pay for such justices and judges based on the annual rate of pay for a district judge of the United States, as adjusted by the provisions of this act; amending K.S.A. 20-2616, 22a-105, 40-102, 75-3103 and 75-3120k and K.S.A. 2022 Supp. 20-318 and repealing the existing sections; also"; also in line 8, after "46-3101" by inserting ", 75-3101, 75-3104, 75-3108, 75-3110, 75-3111a, 75-3120f, 75-3120g, 75-3120h and 75-3120l";

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

BARBARA WASINGER
BLAKE CARPENTER
JERRY STOGSDILL

Conferees on part of House

RICK BILLINGER

J R CLAEYS

PAT PETTEY

Conferees on part of Senate

Senator Claeys moved the Senate adopt the Conference Committee Report on **H Sub SB 229**.

On roll call, the vote was: Yeas 25; Nays 8; Present and Passing 3; Absent or Not Voting 4.

Yeas: Alley, Billinger, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holscher, Kloos, Longbine, Masterson, Peck, Petersen, Pettey, Ryckman, Sykes, Thompson, Tyson, Ware, Wilborn.

Nays: Doll, Kerschen, Olson, Pittman, Pyle, Steffen, Straub, Warren.

Present and Passing: Baumgardner, Holland, Reddi.

Absent or Not Voting: Blasi, McGinn, O'Shea, Shallenburger.

The Conference Committee Report was adopted.

TRIBUTES

The Committee on **Organization, Calendar, and Rules** authorizes the following tributes for the week of April 3 through April 6, 2023:

Senator Alley: celebrating the City of Winfield's 150th Anniversary;

Senator Billinger: congratulating the Hoxie High School Wrestling Team on winning the 2023 Class 3-2-1A Wrestling State Championship, congratulating Coach Mike Porsch on receiving the KCA and KWCA Coach of the Year Awards;

Senator Bowers: congratulating Phil and Pat Osborne on receiving the Blue Rapids Volunteer of the Year Award, celebrating Dwayne Turner's 100th Birthday;

Senator Faust Goudeau: congratulating Eugene Anderson on his selection for the Kansas Honor Flight;

Senator McGinn: congratulating Lander Ballard on his induction into the Kansas Music Hall of Fame, congratulating Jon Miller on his induction into the Kansas Music Hall of Fame; and

Senators Haley and Faust Goudeau: honoring the life of Musa "B.B." Njie.

On motion of Senator Alley, the Senate adjourned pro forma until 10:00 a.m. April 24, 2023.

Journal of the Senate

SIXTIETH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, April 24, 2023, 10:00 a.m.

The Senate was called to order pro forma by President Ty Masterson.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to Committee as indicated:

Commerce: **SB 325**.

MESSAGES FROM THE GOVERNOR

SB 3, SB 114 approved on April 7, 2023

SB 120 approved on April 10, 2023

Enclosed herewith is Executive Directive 23-569 for your information. (April 12, 2023)

SB 49, SB 144 approved on April 13, 2023

H Sub SB 208 approved on April 14, 2023

SB 85, SB 119 approved on April 19, 2023

SB 17; H Sub SB 42; SB 44, SB 66, SB 75; H Sub SB 116; SB 123, SB 132, SB 189; H Sub SB 229; SB 243; H Sub SB 244 approved on April 20, 2023

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **SB 8**.

The House adopts the Conference Committee report on **HB 2350**.

The House adopts the Conference Committee report on **HB 2292**.

The House adopts the Conference Committee report on **HB 2094**.

The House adopts the Conference Committee report on **HB 2024**.

The House adopts the Conference Committee report on **HB 2019**.

The House adopts the Conference Committee report on **HB 2264**.

REPORT ON ENROLLED BILLS

SB 17, SB 26; H Sub SB 42; SB 44, SB 66, SB 75, SB 85; H Sub SB 116; SB 119, SB 123, SB 132; H Sub SB 169; SB 180, SB 189, SB 205, SB 209, SB 217, SB 221, SB 228; H Sub SB 229; SB 243; H Sub SB 244 reported correctly enrolled, properly signed and presented to the Governor on April 14, 2023.

SCR 1603, SCR 1612 reported correctly enrolled, properly signed and presented to the Secretary of State on April 14, 2023.

On motion of Senator Olson, the Senate adjourned pro forma until 10:00 a.m., Tuesday, April 25, 2023.

Journal of the Senate

SIXTY-FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, April 25, 2023, 10:00 a.m.

The Senate was called to order pro forma by Vice President Rick Wilborn.

MESSAGES FROM THE GOVERNOR

The following appointment made by the Governor and submitted to the Senate for confirmation was introduced and the appointment letter read:

General Michael Venerdi, Kansas Adjutant General (submitted March 23, 2023)

SB 205, SB 217, SB 221 approved on April 24, 2023

MESSAGE FROM THE HOUSE

The House announced the appointment of Representative Poskin to replace Representative Winn as a conferee on **H Sub SB 113**.

The House announced the appointment of Representatives K. Williams, Landwehr and Poskin as conferees on **HB 2089**.

The House announced the appointment of Representatives Waymaster, Hoffman and Helgerson as conferees on **SB 25**.

The House announced the appointment of Representatives Waymaster, Hoffman and Helgerson as conferees on **SB 106**.

The House announced the appointment of Representatives W. Carpenter, Humphries and Hoye as conferees on **HB 2285**.

CHANGE OF CONFERENCE

Senators Billinger, Claey's and Pettey are appointed to replace Senators Longbine, Fagg and Holscher as members of the conference committee on **SB 25**.

Senators Billinger, Claey's and Pettey are appointed to replace Senators Petersen, Kloos and Corson as members of the conference committee on **SB 106**.

Senators Baumgardner, Erickson and Sykes are appointed to replace Senators Longbine, Fagg and Holscher as members of the conference committee on **HB 2089**.

Senators Gossage, Erickson and Pettey are appointed to replace Senators Longbine, Fagg and Holscher as members of the conference committee on **HB 2285**.

REFERENCE OF APPOINTMENTS

Under the authority of the President, the Vice President referred the following appointment made by the Governor and submitted to the Senate for confirmation, to Committee as indicated:

Adjutant General:

Michael Venerdi, to serve at the pleasure of the governor.
(Committee on Ways and Means)

On motion of Senator Petersen, the Senate adjourned until 10:00 a.m., Wednesday, April 26, 2023.

Journal of the Senate

SIXTY-SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Wednesday, April 26, 2023, 10:00 a.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 40 senators present.
Invocation by Reverend Cecil T. Washington:

Our Master Problem Solver
2 Samuel 12:16-23

Heavenly Father, thanks for the break, for the getaway that You've blessed us to have. And Lord, I pray that the most significant aspect of the holiday reminds us of the fact that You overcome the problem of death. What we call Easter Sunday, many call Resurrection Sunday. You have demonstrated in Jesus, that in the final analysis the problem of death is overcome.

So, Lord, since death is the most devastating of all problems and since You've already defeated it, we can know that no problem we face in life is so big that You can't handle it. You are the Master Problem Solver.

As we move toward finishing this session, and as we move toward a fulfilling life, there are difficulties we still have to face. But Lord, every complication we encounter is like another bump on the side of a mountain. We can use them to help us climb. While the fewer the bumps or the fewer the difficulties, the less help we have for climbing.

So Lord, we can thank You for every problem. For no difficulty formed against us is going to prosper. Keep us by faith, looking to You in all we do. I offer this prayer in the Name of Jesus, Who loved us to and through death. Amen!

The Pledge of Allegiance was led by President Masterson.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

SB 326, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2023, and June 30, 2024, for the department of administration; relating to a Kansas resident income tax rebate, by Committee on Ways and Means.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Wilborn introduced the following Senate resolution, which was read:
SENATE RESOLUTION No. 1721—

A RESOLUTION recognizing the 125th anniversary
of the Smoky Valley Roller Mills in Lindsborg, Kansas.

WHEREAS, The Smoky Valley Roller Mills served as a vital agricultural and commercial hub to Lindsborg, Kansas, and the surrounding region from 1898 through 1955 under the ownership of Theodore Teichgraeber and subsequently the Hagstrom and Runbeck families; and

WHEREAS, The historic building and original equipment were restored and preserved in the 1960s, 1970s and 1980s because of the efforts of numerous volunteers in the Smoky Valley community, and, in particular, the leadership and supervision of Malcolm Esping, Mary Borg and George Tesarek; and

WHEREAS, Because of these community efforts, the Smoky Valley Roller Mills is preserved in working condition today under the ownership of the Lindsborg Old Mill & Swedish Heritage Museum; and

WHEREAS, The Smoky Valley Roller Mills continues to provide great value to the Smoky Valley community and Kansas as an historical treasure, community cultural center and a beautiful marvel of engineering and ingenuity; and

WHEREAS, The Smoky Valley Roller Mills has been on the National Register of Historic Places for 50 years; and

WHEREAS, The museum board of directors, staff, volunteers and many members of the Smoky Valley community are now working diligently to secure the future of these historic buildings for the next generations to enjoy; and

WHEREAS, The year 2023 marks the 125th anniversary since the Smoky Valley Roller Mills was rebuilt anew in 1898, following a fire the previous year, and special celebrations of this significant milestone — including the full mill running again — are planned for the museum's annual Millfest celebration on Saturday, May 6, 2023: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we recognize the 125th anniversary of the Smoky Valley Roller Mills in Lindsborg, Kansas; and

Be it further resolved: That we urge Kansans to observe the 125th anniversary celebration of the Smoky Valley Roller Mills in Lindsborg, Kansas, on Saturday, May 6, 2023; and

Be it further resolved: That we urge Kansans to learn more about the history and tradition of agriculture, industry and Swedish culture in Lindsborg, the Smoky Valley and all of Kansas; and

Be it further resolved: That we urge Kansans to consider ways to personally support the continued preservation of the Smoky Valley Roller Mills and the Lindsborg Old Mill & Swedish Heritage Museum; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Senator Wilborn.

On emergency motion of Senator Wilborn **SR 1721** was adopted by voice vote.

On motion of Senator Alley, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate met pursuant to recess with President Masterson in the chair.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Reddi, Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Francisco, Haley, Holscher, Kerschen, Longbine, Masterson, McGinn, O'Shea, Petersen, Pettey, Ryckman, Shallenburger, Sykes, Tyson and Wilborn introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1722—

A RESOLUTION recognizing Dr. Susan K. Peterson Thomas
for her many years of service and dedication to the
State of Kansas and Kansas State University.

WHEREAS, Susan K. Peterson began her distinguished state service with Kansas State University on August 2, 1989, serving the institution for 33 years, 8 months and 6 days; and

WHEREAS, As chief government relations officer and assistant to the president, Sue, as she is fondly called, had direct responsibility for all university liaison activities with the state and federal legislature until her retirement on April 7, 2023. She also served as an instructor in the political science department since 1992, teaching Kansas politics and government to over 1,000 students; and

WHEREAS, The daughter of a dairy farmer and former Mayor of Abilene, Sue brought her rural and political roots to her beloved alma mater and received a Bachelor of Science degree in political science and history and a Ph.D. in curriculum and instruction from Kansas State University. Sue also earned a Master of Public Administration from the University of Kansas; and

WHEREAS, Sue began her service to the State of Kansas in 1978, later on working for Mike Hayden during his political career as Majority Leader and Speaker of the House of Representatives and Governor of Kansas. She also served on the transition teams for Governors Hayden and Sam Brownback; and

WHEREAS, Sue was instrumental in securing state funding to completely renovate Farrell Library and add 153,000 square feet of new space to the library on Kansas State's Manhattan campus; and

WHEREAS, Sue coordinated the successful legislative effort to merge the Kansas College of Technology in Salina into Kansas State University, forming the Kansas State Salina campus; and

WHEREAS, Sue led the effort to secure state and federal funding for the construction and equipment of Pat Roberts Hall, the facility that houses Kansas State's Biosecurity Research Institute; and

WHEREAS, Sue worked tirelessly to pass several pieces of legislation that were instrumental in the state's effort to land the United States Department of Agriculture's National Bio and Agro Defense Facility (NBAF), adjacent to Kansas State's campus in Manhattan; and

WHEREAS, Throughout her distinguished career, Sue has been recognized for her work on national, state and local levels, including the prestigious Marvin D. "Swede" Johnson Achievement Award, the Flinchbaugh Family Wildcat Pride Award and the Career Excellence Award from the Association of Public and Land-Grant Universities' Council on Governmental Affairs: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we recognize Dr. Susan K. Peterson Thomas for her many years of service and dedication to the State of Kansas

and Kansas State University; and

Be it further resolved: That we wish her all the best during her well-deserved retirement; and

Be it further resolved: That, because long-standing public servants are essential to government, the State of Kansas appreciates and celebrates Sue as a dedicated employee as well as the work she completed for the State of Kansas; and

Be it further resolved: That the Secretary of the Senate shall send three enrolled copies of this resolution to Senator Reddi.

On emergency motion of Senator Reddi **SR 1722** was adopted by voice vote.

Senators Wilborn, Alley, Billinger, Claeys, Longbine, Masterson, Petersen and Sykes introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1723—

A RESOLUTION commemorating the 20th anniversary
of the bilateral relations between Kansas and the Republic of Armenia.

WHEREAS, This year, the State of Kansas and the Republic of Armenia celebrate the 20th anniversary of their bilateral relations, which was established in 2003; and

WHEREAS, The National Guard State Partnership Program joins the United States of America together with partner countries for the purpose of supporting its strategic security cooperation objectives; and

WHEREAS, The State Partnership Program goals reflect an evolving international affairs mission for the Kansas Air and Army National Guard, using its unique civil-military nature to interact with both active and reserve forces of foreign countries; and

WHEREAS, To further partnerships in the areas of troop development, medical servicing, NATO certification and emergency response, the State of Kansas and the Republic of Armenia have over 300 engagements every year, involving over 600 military officers, as well as enlisted service members and Kansas civilians; and

WHEREAS, The partnership between Kansas and the Republic of Armenia takes advantage of the unique attributes that the United States of America has concerning America's professional citizen-soldiers, which promote political, economic, and social development: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we celebrate the 20th anniversary of Kansas' bilateral relations with the Republic of Armenia, and we wish the program future success; and

Be it further resolved: That the Secretary of the Senate shall send five enrolled copies of this resolution to Senator Wilborn.

On emergency motion of Senator Wilborn **SR 1723** was adopted by voice vote.

REPORTS OF STANDING COMMITTEES

Committee on **Ways and Means** begs leave to submit the following report:
The following appointment was referred to and considered by the committee, and your committee recommends that the Senate approve and consent to such appointment:

By the Governor:

Adjutant General: K.S.A. 48-203

Michael Venerdi, to serve at the pleasure of the Governor

CONSIDERATION OF APPOINTMENTS

In accordance with Rule 55, the following appointment, submitted by the Governor to the Senate for confirmation was considered.

Senator Alley moved the following appointment be confirmed as recommended by the Committee on **Ways and Means**.

By the Governor

On the appointment to the:

Adjutant General:

Michael Venerdi, at the pleasure of the governor

On roll call, the vote was: Yeas 40; Nays 0; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson, Tyson, Ware, Warren, Wilborn.

The appointment was confirmed.

ORIGINAL MOTION

Senator Alley moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bill:
HB 2089.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2089** 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.

MOLLY BAUMGARDNER

RENEE ERICKSON

DINAH SYKES

Conferees on part of Senate

KRISTEY WILLIAMS

BRENDA LANDWEHR

MARI-LYNN POSKIN

Conferees on part of House

On motion of Senator Baumgardner the Senate adopted the conference committee report on **HB 2089**, and requested a new conference be appointed.

The President appointed Senators Baumgardner, Erickson and Sykes as a second Conference Committee on the part of the Senate on **HB 2089**.

Vice President Wilborn assumed the chair.

MESSAGES FROM THE GOVERNOR**REGARDING VETO OF HOUSE SUBSTITUTE FOR SENATE BILL 169**

Kansans know all too well where irresponsible, costly tax experiments lead: to underfunded schools, to deteriorating roads and bridges, and to essential services being cut. This bill would upend our tax system and throw our state's budget out of balance long-term. There is no question: Just like under my predecessor, this tax plan would be paid for by cutting funds from our public schools. Already, those same legislators have proposed cutting millions of dollars from public schools, and particularly rural schools. I won't stand for cuts to our public schools, period. To be very clear, I want to cut taxes for everyday Kansans. That's why I've proposed targeted, responsible tax cuts on groceries and Social Security, and it's why I'm proposing a tax rebate, this year, of \$450 for individual taxpayers and \$900 for married couples filing jointly. Legislators should put this one-time surplus back in the hands of taxpayers – without risking our ability to continue fully funding schools and investing in roads, bridges, and essential services. Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **House Substitute for Senate Bill 169**.

THE GOVERNOR'S OFFICE

BY THE GOVERNOR

LAURA KELLY

DATED April 24, 2023

H Sub SB 169 AN ACT concerning taxation; relating to income tax; providing a 5.15% tax rate for individuals and decreasing the normal tax for corporations; discontinuing possible future corporate rate decreases as a result of agreements under the attracting powerful economic expansion program act; increasing the income limit to qualify for a subtraction modification for social security income; increasing the Kansas standard deduction by a cost-of-living adjustment; discontinuing the food sales tax credit; relating to sales and compensating use tax; reducing the rate of tax on sales of food and food ingredients; relating to property tax; increasing the extent of exemption for residential property from the statewide school levy; relating to privilege tax rates; decreasing the normal tax; amending K.S.A. 79-1107 and 79-1108 and K.S.A. 2022 Supp. 79-201x, 79-32,110, 79-32,117, as amended by section 5 of 2023 House Bill No. 2197, 79-32,119, 79-32,271, 79-3603, 79-3603d, 79-3620, 79-3703 and 79-3710 and repealing the existing sections; also repealing K.S.A. 2022 Supp. 74-50,321.

**REGARDING VETO OF SENATE BILL 26, SENATE BILL 180,
SENATE BILL 228, AND S. SUB FOR HOUSE BILL 2138**

Companies have made it clear that they are not interested in doing business with states that discriminate against workers and their families. By stripping away rights from Kansans and opening the state up to expensive and unnecessary lawsuits, these bills would hurt our ability to continue breaking economic records and landing new business deals. I'm focused on the economy. Anyone care to join me? Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **Senate Bill 26, Senate Bill 180, Senate Bill 228, and S. Sub. for House Bill 2138**.

APRIL 26, 2023

1095

THE GOVERNOR'S OFFICE
BY THE GOVERNOR
LAURA KELLY
DATED April 20, 2023

SB 26 AN ACT concerning gender identity medical care; creating a civil cause of action against a physician who performs childhood gender reassignment service; requiring revocation of a physician's license if such physician performs childhood gender reassignment service; amending K.S.A. 2022 Supp. 65-2836 and repealing the existing section.

SB 180 AN ACT establishing the women's bill of rights; providing a meaning of biological sex for purposes of statutory construction.

SB 228 AN ACT concerning counties; requiring the secretary for aging and disability services to reimburse counties for certain costs when a person is in a county jail awaiting examination, evaluation or treatment for competency; relating to county jails; removing the requirement that every county shall have a jail; modernizing requirements related to food, drink and medical care for prisoners and jail records; modifying procedures used when district courts commit prisoners to jail in another county and when counties contract with city jails or other county jails to keep prisoners; requiring a medical examination before certain United States prisoners or city prisoners are taken into custody of a county jail; amending K.S.A. 19-1901, 19-1903, 19-1904, 19-1905, 19-1910, 19-1911, 19-1916, 19-1917, 19-1927, 19-1929 and 19-1930 and repealing the existing sections; also repealing K.S.A. 19-1906, 19-1907, 19-1908, 19-1912, 19-1913, 19-1914 and 19-1915

S Sub HB 2138 AN ACT concerning education; relating to school districts; requiring separate overnight accommodations for students of each biological sex during school district sponsored travel; requiring contracts for exclusive broadcasts of state high school activities association activities to permit certain local broadcasts; providing for administrative review of resolutions to permanently close a school building; amending K.S.A. 72-1431 and repealing the existing section.

REGARDING VETO OF SENATE BILL 209

As the daughter of a career Army officer, I cannot support measures that would disenfranchise members of our armed services – who fight for our freedoms, including the right to vote – from casting their own ballot. This bill eliminates the three-day grace period for mail-in ballots often used by those in the military serving across the country or overseas. It would also likely result in too many rural Kansans not having their votes counted in important elections. That is unacceptable. We should be doing everything we can to make it easier – not harder – for Kansans to make their voices heard at the ballot box. Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **Senate Bill 209**.

THE GOVERNOR'S OFFICE
THE GOVERNOR
LAURA KELLY
DATED April 19, 2023

SB 209 AN ACT concerning elections; relating to advance voting ballots; requiring the return of such ballots by 7 p.m. on the day of the election; amending K.S.A. 25-1132 and repealing the existing section.

ACTION ON VETO MESSAGE

A motion was made by Senator Tyson that **H Sub SB 169** be passed notwithstanding the Governor's veto.

H Sub SB 169 AN ACT concerning taxation; relating to income tax; providing a 5.15% tax rate for individuals and decreasing the normal tax for corporations; discontinuing possible future corporate rate decreases as a result of agreements under the attracting powerful economic expansion program act; increasing the income limit to qualify for a subtraction modification for social security income; increasing the Kansas standard deduction by a cost-of-living adjustment; discontinuing the food sales tax credit; relating to sales and compensating use tax; reducing the rate of tax on sales of food and food ingredients; relating to property tax; increasing the extent of exemption for residential property from the statewide school levy; relating to privilege tax rates; decreasing the normal tax; amending K.S.A. 79-1107 and 79-1108 and K.S.A. 2022 Supp. 79-201x, 79-32,110, 79-32,117, as amended by section 5 of 2023 House Bill No. 2197, 79-32,119, 79-32,271, 79-3603, 79-3603d, 79-3620, 79-3703 and 79-3710 and repealing the existing sections; also repealing K.S.A. 2022 Supp. 74-50,321.

On roll call, the vote was: Yeas 26; Nays 14; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, McGinn, Pettey, Pittman, Pyle, Reddi, Sykes, Ware.

The veto was sustained.

EXPLANATION OF VOTE

The underlying bill flat tax being proposed disproportionately favors the most wealthy in our state while our working class struggles with things property tax. We are at a point in our budget process where with fiscal responsibility we are coming out of the Brownback years where we need to be cautious. We don't know if we have enough money for the future five year projections without the federal stimulus money that's come in. We don't need to make this kind of change this year, so I vote "NO" on overriding the Governor's veto of **SB 169**.—JEFF PITTMAN

ACTION ON VETO MESSAGE

A motion was made by Senator Erickson that **SB 180** be passed notwithstanding the Governor's veto.

SB 180 AN ACT establishing the women's bill of rights; providing a meaning of biological sex for purposes of statutory construction.

On roll call, the vote was: Yeas 28; Nays 12; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck,

Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

A two-thirds constitutional majority having voted in favor of overriding the Governor's veto, the motion prevailed and the bill passed.

ACTION ON VETO MESSAGE

A motion was made by Senator Warren that **SB 228** be passed notwithstanding the Governor's veto.

SB 228 AN ACT concerning counties; requiring the secretary for aging and disability services to reimburse counties for certain costs when a person is in a county jail awaiting examination, evaluation or treatment for competency; relating to county jails; removing the requirement that every county shall have a jail; modernizing requirements related to food, drink and medical care for prisoners and jail records; modifying procedures used when district courts commit prisoners to jail in another county and when counties contract with city jails or other county jails to keep prisoners; requiring a medical examination before certain United States prisoners or city prisoners are taken into custody of a county jail; amending K.S.A.19-1901,19-1903,19-1904,19-1905,19-1910, 19-1911, 19-1916, 19-1917, 19-1927,19-1929 and 19-1930 and repealing the existing sections; also repealing K.S.A. 19-1906, 19-1907, 19-1908, 19-1912, 19-1913, 19-1914 and 19-1915

On roll call, the vote was: Yeas 31; Nays 9; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Haley, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Holland, Holscher, Pittman, Reddi, Sykes, Ware.

A two-thirds constitutional majority having voted in favor of overriding the Governor's veto, the motion prevailed and the bill passed.

ACTION ON VETO MESSAGE

A motion was made by Senator Gossage that **SB 26** be passed notwithstanding the Governor's veto.

SB 26 AN ACT concerning gender identity medical care; creating a civil cause of action against a physician who performs childhood gender reassignment service; requiring revocation of a physician's license if such physician performs childhood gender reassignment service; amending K.S.A. 2022 Supp. 65-2836 and repealing the existing section.

On roll call, the vote was: Yeas 26; Nays 14; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher,

McGinn, Pettey, Pittman, Reddi, Sykes, Ware.

The veto was sustained.

EXPLANATION OF VOTE

I vote "NO" on **SB 26** because I believe we are beginning to cross the line from legislating for the common good to telling families what to do when making difficult decisions for their children. I do not support gender reassignment surgery for children or anyone, but I believe this decision should be in the hands of the parent, child, doctor and/or pastor. Hormones are used to help some of our young girls and boys when needed while going through puberty. I think we need to trust that a parent, with guidance, can make the right decision for their child. I also do not believe we should criminalize doctors for trying to figure out the best path for their patient. This is not about wearing seat belts or limiting speeds on the highway for the greater good. This is about a very small population that is making a very difficult decision. I believe good government is limited government and should not be making medical decisions for us.

—CAROLYN MCGINN

Senator Dietrich requests the record to show she concurs with the "Explanation of Vote" offered by Senator McGinn on **SB 26**.

I vote "YES." Unfortunately, sometimes the legislature has to step in and protect our children. Mutilating surgeries are the obvious situation. Lost parents and a wayward healthcare system cannot be allowed to permanently sterilize a minor. They must be stopped. Historically, this act of mutilation has never been tolerated. It represents pure evil in a society.—MARK STEFFEN

Senator Thompson requests the record to show he concurs with the "Explanation of Vote" offered by Senator Steffen on **SB 26**.

Many of the opponents of this bill that I hear from accuse those of us who seek to protect Kansas children from irreversible, dangerous, and sometimes life-threatening hormone replacement therapy, and "gender reassignment surgeries" of being haters. Nothing could be farther from the truth. In fact, the most loving thing a person can do is to make sure that others are not harmed. That is what **SB 26** sought to do. We heard testimony from several persons who had undergone gender transition therapies and surgeries, that told us these so-called treatments did not help the depression or suicidal ideations experienced by those who are confused over their gender identity. They warned that the suicidal ideations typically get worse, and reach a crescendo around 7 years after the transition. The suicide rate in the general population is around 10%, but for those who have undergone "gender-affirming care" it is near 40%. We cannot stand by and let that happen. We must protect young Kansans by prohibiting these dangerous procedures until they have the ability to comprehend the long-term, irreparable harm they may cause. I vote "YES" on **SB 26**.—MIKE THOMPSON

ACTION ON VETO MESSAGE

A motion was made by Senator Thompson that **SB 209** be passed notwithstanding the Governor's veto.

SB 209 AN ACT concerning elections; relating to advance voting ballots; requiring the return of such ballots by 7 p.m. on the day of the election; amending K.S.A. 25-1132 and repealing the existing section.

On roll call, the vote was: Yeas 25; Nays 15; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, McGinn, O'Shea, Pettey, Pittman, Reddi, Sykes, Ware.

The veto was sustained.

EXPLANATION VOTE

I vote no on **SB 209**. We live in a democracy that provides the opportunity for people to vote despite their gender or color of their skin, but this only occurred in the last century. Other improvements have been made to help those with needs due to aging and disabilities have a better opportunity to vote. We have also made improvements to allow students and military to participate in the voting process. We should be trying to help and encourage people to take advantage of their constitutional right to vote. Which includes allowing people to mail a ballot close to election day and still have it counted even if it is three days late due to the challenges and unreliability of mail delivery.—

CAROLYN MCGINN

Senator Dietrich requests the record to show she concurs with the "Explanation of Vote" offered by Senator McGinn on **SB 209**.

ORIGINAL MOTION

Senator Alley moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bill: **HB 2285**.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2285** 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.

BEVERLY GOSSAGE

RENEE ERICKSON

Conferees on part of Senate

WILL CARPENTER

SUSAN HUMPHRIES

Conferees on part of House

On motion of Senator Gossage the Senate adopted the conference committee report on **HB 2285**, and requested a new conference be appointed.

The President appointed Senators Gossage, Erickson and Pettey as a second Conference Committee on the part of the Senate on **HB 2285**.

MESSAGE FROM THE HOUSE

Announcing the House herewith transmits the veto message from the Governor,

together with the enrolled copy of **HB 2313**, AN ACT concerning health and healthcare; creating the born-alive infants protection act; providing legal protections for infants born alive; requiring certain standards of care by healthcare providers for infants who are born alive; providing criminal penalties and civil liability for violations of the act; amending K.S.A. 65-445 and repealing the existing section, was received on April 14, 2023 and read on April 24, 2023.

“This bill is misleading and unnecessary. Federal law already protects newborns, and the procedure being described in this bill does not exist in Kansas in the era of modern medicine.

The intent of this bill is to interfere in medical decisions that should remain between doctors and their patients.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto House Bill 2313.”

A motion was made that **HB 2313** be passed notwithstanding the Governor's veto. By vote of 87 Yeas and 37 Nays, the motion having received the required two-thirds constitutional majority of the members elected or appointed to the House of Representatives, voting in the affirmative, the bill passed.

ACTION ON VETO MESSAGE

A motion was made by Senator Gossage that **HB 2313** be passed notwithstanding the Governor's veto.

HB 2313 AN ACT concerning health and healthcare; creating the born-alive infants protection act; providing legal protections for infants born alive; requiring certain standards of care by healthcare providers for infants who are born alive; providing criminal penalties and civil liability for violations of the act; amending K.S.A. 65-445 and repealing the existing section.

On roll call, the vote was: Yeas 31; Nays 9; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Haley, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Holland, Holscher, Pettey, Reddi, Sykes, Ware.

A two-thirds constitutional majority having voted in favor of overriding the Governor's veto, the motion prevailed and the bill passed.

EXPLANATION OF VOTE

I reluctantly vote AYE to override the Governor's veto of **HB 2313**. As a former member of the Board of Directors for Planned Parenthood of Greater Kansas City, and as an escort for literally dozens of women needing a friend as we'd walk past the teeming howls of those gathered outside of the clinic to interrupt the personal health decision being made to terminate her unwanted pregnancy, few in this Chamber have been more committed than I, David Haley, to insure a women's right to choose. Active

in the 2022 “NO” vote from last August, I continue to join with the overwhelming majority of Kansans who believe that a woman’s constitutional right to seek an abortion should not be further infringed upon by our government. As an avowed feminist myself, I intend to always support women’s rights to be as unencumbered from sexist diffidence in our American society. But this, to me, is different and is the second time I depart from a Governor I respect’s Veto; the first being when Governor Sebelius vetoed the third-trimester, two “consenting physicians” wink-and-a-nod parable necessary to allow latest of term abortions; and here, now today, with Governor Kelly’s veto of the best efforts to resuscitate and bring life to those babies who “survive” and abortion and are deemed “born alive.” Post a fetus’ viability (or ability to thrive on its’ own independent of the womb), it is my, and much of my District’s (because I have asked), convicted and consecrated belief that we, as a civilized society should always weigh-in towards the side of support for that life; which, short of being found to be grossly deformed towards stillbirth, should be given a chance.—DAVID HALEY

ORIGINAL MOTION

Having voted on the prevailing side, Senator Longbine moved to reconsider previous action on **HB 2021**. The motion carried.

ORIGINAL MOTION

Senator Alley moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bills: **HB 2021**.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2021** submits the following report:

The Senate recedes from all of its 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, in line 11, by striking all after the second comma; in line 12, by striking all before "the"; also in line 12, by striking all after "shall"; by striking all in lines 13 and 14 and inserting "identify an evidence-based risk and needs assessment to administer"; in line 16, by striking "offending behavior" and inserting "juvenile offender charges related to physical violence, aggression, damage to property or use of life-threatening drugs"; in line 18, by striking all after "The"; in line 19, by striking "allowing" and inserting "secretary for children and families shall administer the assessment described in subsection (a) and shall collaborate with the secretary of corrections to allow"; in line 22, by striking all after "(c)"; by striking all in lines 23 and 24; in line 25, by striking all before the period and inserting "The results of an assessment administered pursuant to this section shall be considered a part of the official file described in K.S.A. 38-2209, and amendments thereto, and shall not be admitted into evidence during the course of a proceeding under the revised Kansas juvenile justice code.

(d) On or before January 1, 2024, the secretary for children and families shall report on the implementation of this section and provide the assessment identified in subsection (a) to the joint committee on corrections and juvenile justice oversight";

Also on page 1, following line 25, by inserting:

"New Sec. 2. (a) The secretary of corrections shall ensure that, when a juvenile is placed in detention, the juvenile shall:

(1) Receive a standardized risk and needs assessment within 72 hours or, if a standardized risk and needs assessment has been conducted on the juvenile, have the appropriate updates made to such assessment within 72 hours;

(2) receive an updated or completed case plan within 48 hours after the standardized risk and needs assessment has been conducted or updated; and

(3) have access to behavioral health services, mental health services and substance use treatment disorder services while in detention.

(b) The secretary of corrections shall coordinate with court services, community corrections and juvenile detention centers to provide the services required by this section in a timely manner. If the juvenile is in the custody of the secretary for children and families, the secretary of corrections shall coordinate with the secretary for children and families when providing such services. The cost of the assessments conducted or the services provided pursuant to subsection (a) may be assessed to the department of corrections.

(c) The secretary of corrections shall collect data related to the assessments conducted and the services provided pursuant to this section and shall report findings to the joint committee on corrections and juvenile justice on or before July 1 of each year.

Sec. 3. K.S.A. 38-2202 is hereby amended to read as follows: 38-2202. As used in the revised Kansas code for care of children, unless the context otherwise indicates:

(a) "Abandon" or "abandonment" means to forsake, desert or, without making appropriate provision for substitute care, cease providing care for the child.

(b) "Adult correction facility" means any public or private facility, secure or nonsecure, that is used for the lawful custody of accused or convicted adult criminal offenders.

(c) "Aggravated circumstances" means the abandonment, torture, chronic abuse, sexual abuse or chronic, life threatening neglect of a child.

(d) "Child in need of care" means a person less than 18 years of age at the time of filing of the petition or issuance of an ex parte protective custody order pursuant to K.S.A. 38-2242, and amendments thereto, who:

(1) Is without adequate parental care, control or subsistence and the condition is not due solely to the lack of financial means of the child's parents or other custodian;

(2) is without the care or control necessary for the child's physical, mental or emotional health;

(3) has been physically, mentally or emotionally abused or neglected or sexually abused;

(4) has been placed for care or adoption in violation of law;

(5) has been abandoned or does not have a known living parent;

(6) is not attending school as required by K.S.A. 72-3421 or 72-3120, and amendments thereto;

(7) except in the case of a violation of K.S.A. 41-727, K.S.A. 74-8810(j), K.S.A. 79-3321(m) or (n), or K.S.A. 2022 Supp. 21-6301(a)(14), and amendments thereto, or, except as provided in paragraph (12), does an act which, when committed by a person under 18 years of age, is prohibited by state law, city ordinance or county resolution, but which is not prohibited when done by an adult;

(8) while less than 10 years of age, commits any act that if done by an adult would constitute the commission of a felony or misdemeanor as defined by K.S.A. 2022 Supp. 21-5102, and amendments thereto;

(9) is willfully and voluntarily absent from the child's home without the consent of the child's parent or other custodian;

(10) is willfully and voluntarily absent at least a second time from a court ordered or designated placement, or a placement pursuant to court order, if the absence is without the consent of the person with whom the child is placed or, if the child is placed in a facility, without the consent of the person in charge of such facility or such person's designee;

(11) has been residing in the same residence with a sibling or another person under 18 years of age, who has been physically, mentally or emotionally abused or neglected, or sexually abused;

(12) while less than 10 years of age commits the offense defined in K.S.A. 2022 Supp. 21-6301(a)(14), and amendments thereto;

(13) has had a permanent custodian appointed and the permanent custodian is no longer able or willing to serve; or

(14) has been subjected to an act that would constitute human trafficking or aggravated human trafficking, as defined by K.S.A. 2022 Supp. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, as defined by K.S.A. 2022 Supp. 21-6422, and amendments thereto, or has committed an act which, if committed by an adult, would constitute selling sexual relations, as defined by K.S.A. 2022 Supp. 21-6419, and amendments thereto.

(e) "Citizen review board" is a group of community volunteers appointed by the court and whose duties are prescribed by K.S.A. 38-2207 and 38-2208, and amendments thereto.

(f) "Civil custody case" includes any case filed under chapter 23 of the Kansas Statutes Annotated, and amendments thereto, the Kansas family law code, article 11 of chapter 38 of the Kansas Statutes Annotated, and amendments thereto, determination of parentage, article 21 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, adoption and relinquishment act, or article 30 of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, guardians and conservators.

(g) "Court-appointed special advocate" means a responsible adult other than an attorney guardian ad litem who is appointed by the court to represent the best interests of a child, as provided in K.S.A. 38-2206, and amendments thereto, in a proceeding pursuant to this code.

(h) "Custody" whether temporary, protective or legal, means the status created by court order or statute that vests in a custodian, whether an individual or an agency, the right to physical possession of the child and the right to determine placement of the child, subject to restrictions placed by the court.

(i) "Extended out of home placement" means a child has been in the custody of the secretary and placed with neither parent for 15 of the most recent 22 months beginning 60 days after the date at which a child in the custody of the secretary was removed from the child's home.

(j) "Educational institution" means all schools at the elementary and secondary levels.

(k) "Educator" means any administrator, teacher or other professional or

paraprofessional employee of an educational institution who has exposure to a pupil specified in K.S.A. 72-6143(a), and amendments thereto.

(l) "Harm" means physical or psychological injury or damage.

(m) "Interested party" means the grandparent of the child, a person with whom the child has been living for a significant period of time when the child in need of care petition is filed, and any person made an interested party by the court pursuant to K.S.A. 38-2241, and amendments thereto, or Indian tribe seeking to intervene that is not a party.

(n) "Jail" means:

(1) An adult jail or lockup; or

(2) a facility in the same building or on the same grounds as an adult jail or lockup, unless the facility meets all applicable standards and licensure requirements under law and there is: (A) Total separation of the juvenile and adult facility spatial areas such that there could be no haphazard or accidental contact between juvenile and adult residents in the respective facilities; (B) total separation in all juvenile and adult program activities within the facilities, including recreation, education, counseling, health care, dining, sleeping and general living activities; and (C) separate juvenile and adult staff, including management, security staff and direct care staff such as recreational, educational and counseling.

(o) "Juvenile detention facility" means any secure public or private facility used for the lawful custody of accused or adjudicated juvenile offenders that must not be a jail.

(p) "Juvenile intake and assessment worker" means a responsible adult authorized to perform intake and assessment services as part of the intake and assessment system established pursuant to K.S.A. 75-7023, and amendments thereto.

(q) "Kinship care placement" means the placement of a child in the home of an adult with whom the child or the child's parent already has close emotional ties.

(r) "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 crimes, whether that duty extends to all crimes or is limited to specific crimes.

(s) "Multidisciplinary team" means a group of persons, appointed by the court under K.S.A. 38-2228, and amendments thereto, that has knowledge of the circumstances of a child in need of care.

(t) "Neglect" means acts or omissions by a parent, guardian or person responsible for the care of a child resulting in harm to a child, or presenting a likelihood of harm, and the acts or omissions are not due solely to the lack of financial means of the child's parents or other custodian. Neglect may include, but shall not be limited to:

(1) Failure to provide the child with food, clothing or shelter necessary to sustain the life or health of the child;

(2) failure to provide adequate supervision of a child or to remove a child from a situation that requires judgment or actions beyond the child's level of maturity, physical condition or mental abilities and that results in bodily injury or a likelihood of harm to the child; or

(3) failure to use resources available to treat a diagnosed medical condition if such treatment will make a child substantially more comfortable, reduce pain and suffering, or correct or substantially diminish a crippling condition from worsening. A parent legitimately practicing religious beliefs who does not provide specified medical treatment for a child because of religious beliefs shall, not for that reason, be considered

a negligent parent; however, this exception shall not preclude a court from entering an order pursuant to K.S.A. 38-2217(a)(2), and amendments thereto.

(u) "Parent" when used in relation to a child or children, includes a guardian and every person who is by law liable to maintain, care for or support the child.

(v) "Party" means the state, the petitioner, the child, any parent of the child and an Indian child's tribe intervening pursuant to the Indian child welfare act.

(w) "Permanency goal" means the outcome of the permanency planning process, which may be reintegration, adoption, appointment of a permanent custodian or another planned permanent living arrangement.

(x) "Permanent custodian" means a judicially approved permanent guardian of a child pursuant to K.S.A. 38-2272, and amendments thereto.

(y) "Physical, mental or emotional abuse" means the infliction of physical, mental or emotional harm or the causing of a deterioration of a child and may include, but shall not be limited to, maltreatment or exploiting a child to the extent that the child's health or emotional well-being is endangered.

(z) "Placement" means the designation by the individual or agency having custody of where and with whom the child will live.

(aa) "Qualified residential treatment program" means a program designated by the secretary for children and families as a qualified residential treatment program pursuant to federal law.

(bb) "Reasonable and prudent parenting standard" means the standard characterized by careful and sensible parental decisions that maintain the health, safety and best interests of a child while at the same time encouraging the emotional and developmental growth of the child, that a caregiver shall use when determining whether to allow a child in foster care under the responsibility of the state to participate in extracurricular, enrichment, cultural and social activities.

(cc) "Relative" means a person related by blood, marriage or adoption.

(dd) "Runaway" means a child who is willfully and voluntarily absent from the child's home without the consent of the child's parent or other custodian.

(ee) "Secretary" means the secretary for children and families or the secretary's designee.

(ff) "Secure facility" means a facility, other than a staff secure facility or juvenile detention facility, that is operated or structured so as to ensure that all entrances and exits from the facility are under the exclusive control of the staff of the facility, whether or not the person being detained has freedom of movement within the perimeters of the facility, or that relies on locked rooms and buildings, fences or physical restraint in order to control behavior of its residents. No secure facility shall be in a city or county jail.

(gg) "Sexual abuse" means any contact or interaction with a child in which the child is being used for the sexual stimulation of the perpetrator, the child or another person. Sexual abuse shall include, but is not limited to, allowing, permitting or encouraging a child to:

(1) Be photographed, filmed or depicted in pornographic material; or

(2) be subjected to aggravated human trafficking, as defined in K.S.A. 2022 Supp. 21-5426(b), and amendments thereto, if committed in whole or in part for the purpose of the sexual gratification of the offender or another, or be subjected to an act that would constitute conduct proscribed by article 55 of chapter 21 of the Kansas Statutes

Annotated or K.S.A. 2022 Supp. 21-6419 or 21-6422, and amendments thereto.

(hh) "Shelter facility" means any public or private facility or home, other than a juvenile detention facility or staff secure facility, that may be used in accordance with this code for the purpose of providing either temporary placement for children in need of care prior to the issuance of a dispositional order or longer term care under a dispositional order.

(ii) "Staff secure facility" means a facility described in K.S.A. 65-535, and amendments thereto: (1) That does not include construction features designed to physically restrict the movements and activities of juvenile residents who are placed therein; (2) that may establish reasonable rules restricting entrance to and egress from the facility; and (3) in which the movements and activities of individual juvenile residents may, for treatment purposes, be restricted or subject to control through the use of intensive staff supervision. No staff secure facility shall be in a city or county jail.

(jj) "Transition plan" means, when used in relation to a youth in the custody of the secretary, an individualized strategy for the provision of medical, mental health, education, employment and housing supports as needed for the adult and, if applicable, for any minor child of the adult, to live independently and specifically provides for the supports and any services for which an adult with a disability is eligible including, but not limited to, funding for home and community based services waivers.

(kk) "Youth residential facility" means any home, foster home or structure that provides 24-hour-a-day care for children and that is licensed pursuant to article 5 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

(ll) "Behavioral health crisis" means behavioral and conduct issues that impact the safety or health of a child, members of the child's household or family or members of the community, including, but not limited to, non-life threatening mental health and substance abuse concerns."

On page 3, following line 8, by inserting:

"Sec. 5. K.S.A. 38-2231 is hereby amended to read as follows: 38-2231. (a) A law enforcement officer or court services officer shall take a child under 18 years of age into custody when:

(1) The law enforcement officer or court services officer has a court order commanding that the child be taken into custody as a child in need of care; or

(2) the law enforcement officer or court services officer has probable cause to believe that a court order commanding that the child be taken into custody as a child in need of care has been issued in this state or in another jurisdiction.

(b) A law enforcement officer shall take a child under 18 years of age into custody when the officer:

(1) Reasonably believes the child will be harmed if not immediately removed from the place or residence where the child has been found;

(2) has probable cause to believe that the child is a runaway or a missing person or a verified missing person entry for the child can be found in the national crime information center missing person system;

(3) reasonably believes the child is a victim of human trafficking, aggravated human trafficking or commercial sexual exploitation of a child; or

(4) reasonably believes the child is experiencing a ~~mental~~ behavioral health crisis and is likely to cause harm to self or others.

(c) (1) If a person provides shelter to a child whom the person knows is a runaway,

such person shall promptly report the child's location either to a law enforcement agency or to the child's parent or other custodian.

(2) If a person reports a runaway's location to a law enforcement agency pursuant to this section and a law enforcement officer of the agency has reasonable grounds to believe that it is in the child's best interests, the child may be allowed to remain in the place where shelter is being provided, subject to subsection (b), in the absence of a court order to the contrary. If the child is allowed to so remain, the law enforcement agency shall promptly notify the secretary of the child's location and circumstances.

(d) Except as provided in subsections (a) and (b), a law enforcement officer may temporarily detain and assume temporary custody of any child subject to compulsory school attendance, pursuant to K.S.A. 72-3120, and amendments thereto, during the hours school is actually in session and shall deliver the child pursuant to K.S.A. 38-2232(g), and amendments thereto.

Sec. 6. K.S.A. 38-2243 is hereby amended to read as follows: 38-2243. (a) Upon notice and hearing, the court may issue an order directing who shall have temporary custody and may modify the order during the pendency of the proceedings as will best serve the child's welfare.

(b) A hearing pursuant to this section shall be held within 72 hours, excluding Saturdays, Sundays, legal holidays, and days on which the office of the clerk of the court is not accessible, following a child having been taken into protective custody.

(c) Whenever it is determined that a temporary custody hearing is required, the court shall immediately set the time and place for the hearing. Notice of a temporary custody hearing shall be given to all parties and interested parties.

(d) Notice of the temporary custody hearing shall be given at least 24 hours prior to the hearing. The court may continue the hearing to afford the 24 hours prior notice or, with the consent of the party or interested party, proceed with the hearing at the designated time. If an order of temporary custody is entered and the parent or other person having custody of the child has not been notified of the hearing, did not appear or waive appearance and requests a rehearing, the court shall rehear the matter without unnecessary delay.

(e) Oral notice may be used for giving notice of a temporary custody hearing where there is insufficient time to give written notice. Oral notice is completed upon filing a certificate of oral notice.

(f) The court may enter an order of temporary custody after determining there is probable cause to believe that the: (1) Child is dangerous to self or to others; (2) child is not likely to be available within the jurisdiction of the court for future proceedings; (3) health or welfare of the child may be endangered without further care; (4) child has been subjected to human trafficking or aggravated human trafficking, as defined by K.S.A. 2022 Supp. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, as defined by K.S.A. 2022 Supp. 21-6422, and amendments thereto; (5) child is experiencing a ~~mental~~ behavioral health crisis and is in need of treatment; or (6) child committed an act which, if committed by an adult, would constitute a violation of K.S.A. 2022 Supp. 21-6419, and amendments thereto.

(g) (1) Whenever the court determines the necessity for an order of temporary custody the court may place the child in the temporary custody of:

(A) A parent or other person having custody of the child and may enter a restraining order pursuant to subsection (h);

(B) a person, other than the parent or other person having custody, who shall not be required to be licensed under article 5 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto;

(C) a youth residential facility;

(D) a shelter facility;

(E) a staff secure facility, notwithstanding any other provision of law, if the child has been subjected to human trafficking or aggravated human trafficking, as defined by K.S.A. 2022 Supp. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, as defined by K.S.A. 2022 Supp. 21-6422, and amendments thereto, or the child committed an act which, if committed by an adult, would constitute a violation of K.S.A. 2022 Supp. 21-6419, and amendments thereto;

(F) after written authorization by a community mental health center, a juvenile crisis intervention center, as described in K.S.A. 65-536, and amendments thereto; or

(G) the secretary, if the child is 15 years of age or younger, or 16 or 17 years of age if the child has no identifiable parental or family resources or shows signs of physical, mental, emotional or sexual abuse.

(2) If the secretary presents the court with a plan to provide services to a child or family which the court finds will assure the safety of the child, the court may only place the child in the temporary custody of the secretary until the court finds the services are in place. The court shall have the authority to require any person or entity agreeing to participate in the plan to perform as set out in the plan. When the child is placed in the temporary custody of the secretary, the secretary shall have the discretionary authority to place the child with a parent or to make other suitable placement for the child. When the child is placed in the temporary custody of the secretary and the child has been subjected to human trafficking or aggravated human trafficking, as defined by K.S.A. 2022 Supp. 21-5426, and amendments thereto, or commercial sexual exploitation of a child, as defined by K.S.A. 2022 Supp. 21-6422, and amendments thereto, or the child committed an act which, if committed by an adult, would constitute a violation of K.S.A. 2022 Supp. 21-6419, and amendments thereto, the secretary shall have the discretionary authority to place the child in a staff secure facility, notwithstanding any other provision of law. When the child is presently alleged, but not yet adjudicated to be a child in need of care solely pursuant to K.S.A. 38-2202(d)(9) or (d)(10), and amendments thereto, the child may be placed in a secure facility, but the total amount of time that the child may be held in such facility under this section and K.S.A. 38-2242, and amendments thereto, shall not exceed 24 hours, excluding Saturdays, Sundays, legal holidays, and days on which the office of the clerk of the court is not accessible. The order of temporary custody shall remain in effect until modified or rescinded by the court or an adjudication order is entered but not exceeding 60 days, unless good cause is shown and stated on the record.

(h) If the court issues an order of temporary custody, the court may also enter an order restraining any alleged perpetrator of physical, sexual, mental or emotional abuse of the child from residing in the child's home; visiting, contacting, harassing or intimidating the child; or attempting to visit, contact, harass or intimidate the child, other family members or witnesses. Such restraining order shall be served by personal service pursuant to K.S.A. 38-2237(a), and amendments thereto, on any alleged perpetrator to whom the order is directed.

(i) (1) The court shall not enter the initial order removing a child from the custody

of a parent pursuant to this section unless the court first finds probable cause that:

(A) (i) The child is likely to sustain harm if not immediately removed from the home;

(ii) allowing the child to remain in home is contrary to the welfare of the child; or

(iii) immediate placement of the child is in the best interest of the child; and

(B) reasonable efforts have been made to maintain the family unit and prevent the unnecessary removal of the child from the child's home or that an emergency exists which threatens the safety to the child.

(2) Such findings shall be included in any order entered by the court. If the child is placed in the custody of the secretary, upon making the order the court shall provide the secretary with a written copy.

(j) If the court enters an order of temporary custody that provides for placement of the child with a person other than the parent, the court shall make a child support determination pursuant to K.S.A. 38-2277, and amendments thereto.

Sec. 7. K.S.A. 38-2302 is hereby amended to read as follows: 38-2302. As used in this code, unless the context otherwise requires:

(a) "Commissioner" means the secretary of corrections or the secretary's designee.

(b) "Community supervision officer" means any officer from court services, community corrections or any other individual authorized to supervise a juvenile on an immediate intervention, probation or conditional release.

(c) "Conditional release" means release from a term of commitment in a juvenile correctional facility for an aftercare term pursuant to K.S.A. 38-2369, and amendments thereto, under conditions established by the secretary of corrections.

(d) "Court-appointed special advocate" means a responsible adult, other than an attorney appointed pursuant to K.S.A. 38-2306, and amendments thereto, who is appointed by the court to represent the best interests of a child, as provided in K.S.A. 38-2307, and amendments thereto, in a proceeding pursuant to this code.

(e) "Detention risk assessment tool" means a risk assessment instrument adopted pursuant to K.S.A. 75-7023(f), and amendments thereto, used to identify factors shown to be statistically related to a juvenile's risk of failing to appear in court or reoffending pre-adjudication and designed to assist in making detention determinations.

(f) "Educational institution" means all schools at the elementary and secondary levels.

(g) "Educator" means any administrator, teacher or other professional or paraprofessional employee of an educational institution who has exposure to a pupil specified in K.S.A. 72-6143(a)(1) through (5), and amendments thereto.

(h) "Evidence-based" means practices, policies, procedures and programs demonstrated by research to produce reduction in the likelihood of reoffending.

(i) "Graduated responses" means a system of community-based sanctions and incentives developed pursuant to K.S.A. 75-7023(h) and K.S.A. 38-2392, and amendments thereto, used to address violations of immediate interventions, terms and conditions of probation and conditional release and to incentivize positive behavior.

(j) "Immediate intervention" means all programs or practices developed by the county to hold juvenile offenders accountable while allowing such offenders to be diverted from formal court processing pursuant to K.S.A. 38-2346, and amendments thereto.

(k) "Institution" means the Larned juvenile correctional facility and the Kansas

juvenile correctional complex.

(l) "Investigator" means an employee of the department of corrections assigned by the secretary of corrections with the responsibility for investigations concerning employees at the juvenile correctional facilities and juveniles in the custody of the secretary of corrections at a juvenile correctional facility.

(m) "Jail" means:

(1) An adult jail or lockup; or

(2) a facility in the same building as an adult jail or lockup, unless the facility meets all applicable licensure requirements under law and there is: (A) Total separation of the juvenile and adult facility spatial areas such that there could be no haphazard or accidental contact between juvenile and adult residents in the respective facilities; (B) total separation in all juvenile and adult program activities within the facilities, including recreation, education, counseling, health care, dining, sleeping and general living activities; and (C) separate juvenile and adult staff, including management, security staff and direct care staff such as recreational, educational and counseling.

(n) "Juvenile" means a person to whom one or more of the following applies, the person: (1) Is 10 or more years of age but less than 18 years of age; (2) is alleged to be a juvenile offender; or (3) has been adjudicated as a juvenile offender and continues to be subject to the jurisdiction of the court.

(o) "Juvenile correctional facility" means a facility operated by the secretary of corrections for the commitment of juvenile offenders.

(p) "Juvenile corrections officer" means a certified employee of the department of corrections working at a juvenile correctional facility assigned by the secretary of corrections with responsibility for maintaining custody, security and control of juveniles in the custody of the secretary of corrections at a juvenile correctional facility.

(q) "Juvenile detention facility" means a public or private facility licensed pursuant to article 5 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, which is used for the lawful custody of alleged or adjudicated juvenile offenders.

(r) "Juvenile intake and assessment worker" means a responsible adult trained and authorized to perform intake and assessment services as part of the intake and assessment system established pursuant to K.S.A. 75-7023, and amendments thereto.

(s) "Juvenile offender" means a person who commits an offense while 10 or more years of age but less than 18 years of age which if committed by an adult would constitute the commission of a felony or misdemeanor as defined by K.S.A. 2022 Supp. 21-5102, and amendments thereto, or who violates the provisions of K.S.A. 41-727, K.S.A. 74-8810(j) or K.S.A. 2022 Supp. 21-6301(a)(14), and amendments thereto, but does not include:

(1) A person 14 or more years of age who commits a traffic offense, as defined in K.S.A. 8-2117(d), and amendments thereto;

(2) a person 16 years of age or over who commits an offense defined in chapter 32 of the Kansas Statutes Annotated, and amendments thereto;

(3) a person under 18 years of age who previously has been:

(A) Convicted as an adult under the Kansas criminal code;

(B) sentenced as an adult under the Kansas criminal code following termination of status as an extended jurisdiction juvenile pursuant to K.S.A. 38-2364, and amendments thereto; or

(C) convicted or sentenced as an adult in another state or foreign jurisdiction under

substantially similar procedures described in K.S.A. 38-2347, and amendments thereto, or because of attaining the age of majority designated in that state or jurisdiction.

(t) "Law enforcement officer" means any person who by virtue of that person's office or public employment is vested by law with a duty to maintain public order or to make arrests for crimes, whether that duty extends to all crimes or is limited to specific crimes.

(u) "Overall case length limit" when used in relation to a juvenile adjudicated a juvenile offender means the maximum jurisdiction of the court following disposition on an individual case. Pursuant to K.S.A. 38-2304, and amendments thereto, the case and the court's jurisdiction shall terminate once the overall case length limit expires and may not be extended.

(v) "Parent" when used in relation to a juvenile, includes a guardian and every person who is, by law, liable to maintain, care for or support the juvenile.

(w) "Probation" means a period of community supervision ordered pursuant to K.S.A. 38-2361, and amendments thereto, overseen by either court services or community corrections, but not both.

(x) "Reasonable and prudent parenting standard" means the standard characterized by careful and sensible parental decisions that maintain the health, safety and best interests of a child while at the same time encouraging the emotional and developmental growth of the child, that a caregiver shall use when determining whether to allow a child in foster care under the responsibility of the state to participate in extracurricular, enrichment, cultural and social activities.

(y) "Reintegration plan" means a written document prepared in consultation with the child's parent or guardian that:

(1) Describes the reintegration goal, which, if achieved, will most likely give the juvenile and the victim of the juvenile a permanent and safe living arrangement;

(2) describes the child's level of physical health, mental and emotional health and educational functioning;

(3) provides an assessment of the needs of the child and family;

(4) describes the services to be provided to the child, the child's family and the child's foster parents, if appropriate;

(5) includes a description of the tasks and responsibilities designed to achieve the plan and to whom assigned;

(6) includes measurable objectives and time schedules for achieving the plan; and

(7) if the child is in an out of home placement:

(A) Provides a statement for the basis of determining that reintegration is determined not to be a viable option if such a determination is made and includes a plan for another permanent living arrangement;

(B) describes available alternatives;

(C) justifies the alternative placement selected, including a description of the safety and appropriateness of such placement; and

(D) describes the programs and services that will help the child prepare to live independently as an adult.

(z) "Risk and needs assessment" means a standardized instrument administered on juveniles to identify specific risk factors and needs shown to be statistically related to a juvenile's risk of reoffending and, when properly addressed, can reduce a juvenile's risk of reoffending.

(aa) "Secretary" means the secretary of corrections or the secretary's designee.

(bb) "Technical violation" means an act that violates the terms or conditions imposed as part of a probation disposition pursuant to K.S.A. 38-2361, and amendments thereto, and that does not constitute a new juvenile offense or a new child in need of care violation pursuant to K.S.A. 38-2202(d), and amendments thereto.

(cc) "Warrant" means a written order by a judge of the court directed to any law enforcement officer commanding the officer to take into custody the juvenile named or described therein.

(dd) "Youth residential facility" means any home, foster home or structure which provides 24-hour-a-day care for juveniles and which is licensed pursuant to article 5 of chapter 65 or article 70 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto.

(ee) "Behavioral health crisis" means behavioral and conduct issues that impact the safety or health of a juvenile, members of the juvenile's household or family or members of the community, including, but not limited to, non-life threatening mental health and substance abuse concerns.";

On page 4, by striking all in lines 38 through 43;

By striking all on pages 5 through 11;

On page 12, by striking all in lines 1 through 18; following line 18, by inserting:

"Sec. 9. K.S.A. 38-2330 is hereby amended to read as follows: 38-2330. (a) A law enforcement officer may take a juvenile into custody when:

(1) Any offense has been or is being committed in the officer's view;
 (2) the officer has a warrant commanding that the juvenile be taken into custody;
 (3) the officer has probable cause to believe that a warrant or order commanding that the juvenile be taken into custody has been issued in this state or in another jurisdiction for an act committed therein;

(4) the officer has probable cause to believe that the juvenile is committing or has committed an act which, if committed by an adult, would constitute:

(A) A felony; or

(B) a misdemeanor and: (i) The juvenile will not be apprehended or evidence of the offense will be irretrievably lost unless the juvenile is immediately taken into custody; or (ii) the juvenile may cause injury to self or others or damage to property or may be injured unless immediately taken into custody;

(5) the officer has probable cause to believe that the juvenile has violated an order for electronic monitoring as a term of probation; or

(6) the officer receives a written statement pursuant to subsection (c).

(b) A court services officer, juvenile community corrections officer or other person authorized to supervise juveniles subject to this code, may take a juvenile into custody when: (1) There is a warrant commanding that the juvenile be taken into custody; or (2) the officer has probable cause to believe that a warrant or order commanding that the juvenile be taken into custody has been issued in this state or in another jurisdiction for an act committed therein.

(c) Any court services officer, juvenile community corrections officer or other person authorized to supervise juveniles subject to this code, may request a warrant by giving the court a written statement setting forth that the juvenile, in the judgment of the court services officer, juvenile community corrections officer or other person authorized to supervise juveniles subject to this code:

(1) (A) Has violated the condition of the juvenile's conditional release from detention or probation, for the third or subsequent time; and

(B) poses a significant risk of physical harm to another or damage to property; or

(2) has absconded from supervision.

(d) (1) A juvenile taken into custody by a law enforcement officer or other person authorized pursuant to subsection (b) shall be brought without unnecessary delay to the custody of the juvenile's parent or other custodian, unless there are reasonable grounds to believe that such action would not be in the best interests of the child or would pose a risk to public safety or property.

(2) If the juvenile cannot be delivered to the juvenile's parent or custodian, the officer may:

(A) Issue a notice to appear pursuant to subsection (g);

(B) contact or deliver the juvenile to an intake and assessment worker for completion of the intake and assessment process pursuant to K.S.A. 75-7023, and amendments thereto; or

(C) if the juvenile is determined to not be detention eligible based on a standardized detention risk assessment tool and is experiencing a ~~mental~~ behavioral health crisis, deliver a juvenile to a juvenile crisis intervention center, as described in K.S.A. 65-536, and amendments thereto, after written authorization by a community mental health center.

(3) It shall be the duty of the officer to furnish the county or district attorney and the juvenile intake and assessment worker if the officer has delivered the juvenile to the worker or issued a notice to appear consistent with subsection (g), with all of the information in the officer's possession pertaining to the juvenile, the juvenile's parent or other persons interested in or likely to be interested in the juvenile and all other facts and circumstances which caused the juvenile to be arrested or taken into custody.

(e) In the absence of a court order to the contrary, the court or officials designated by the court, the county or district attorney or the law enforcement agency taking a juvenile into custody shall direct the release prior to the time specified by K.S.A. 38-2343(a), and amendments thereto. In addition, pursuant to K.S.A. 75-7023 and K.S.A. 38-2346, and amendments thereto, a juvenile intake and assessment worker shall direct the release of a juvenile prior to a detention hearing after the completion of the intake and assessment process.

(f) Whenever a person 18 years of age or more is taken into custody by a law enforcement officer for an alleged offense which was committed prior to the time the person reached the age of 18, the officer shall notify and refer the matter to the court for proceedings pursuant to this code, except that the provisions of this code relating to detention hearings shall not apply to that person. If such person is eligible for detention, and all suitable alternatives to detention have been exhausted, the person shall be detained in jail. Unless the law enforcement officer took the person into custody pursuant to a warrant issued by the court and the warrant specifies the amount of bond or indicates that the person may be released on personal recognizance, the person shall be taken before the court of the county where the alleged act took place or, at the request of the person, the person shall be taken, without delay, before the nearest court. The court shall fix the terms and conditions of an appearance bond upon which the person may be released from custody. The provisions of article 28 of chapter 22 of the Kansas Statutes Annotated and K.S.A. 22-2901, and amendments thereto, relating to

appearance bonds and review of conditions and release shall be applicable to appearance bonds provided for in this section.

(g) (1) Whenever a law enforcement officer detains any juvenile and such juvenile is not immediately taken to juvenile intake and assessment services, the officer may serve upon such juvenile a written notice to appear. Such notice to appear shall contain the name and address of the juvenile detained, the crime charged and the location and phone number of the juvenile intake and assessment services office where the juvenile will need to appear with a parent or guardian.

(2) The juvenile intake and assessment services office specified in such notice to appear must be contacted by the juvenile or a parent or guardian no more than 48 hours after such notice is given, excluding weekends and holidays.

(3) The juvenile detained, in order to secure release as provided in this section, must give a written promise to call within the time specified by signing the written notice prepared by the officer. The original notice shall be retained by the officer and a copy shall be delivered to the juvenile detained and that juvenile's parent or guardian if such juvenile is under 18 years of age. The officer shall then release the juvenile.

(4) The law enforcement officer shall cause to be filed, without unnecessary delay, a complaint with juvenile intake and assessment services in which a juvenile released pursuant to paragraph (3) is given notice to appear, charging the crime stated in such notice. A copy shall also be provided to the district or county attorney. If the juvenile released fails to contact juvenile intake and assessment services as required in the notice to appear, juvenile intake and assessment services shall notify the district or county attorney.

(5) The notice to appear served pursuant to paragraph (1) and the complaint filed pursuant to paragraph (4) may be provided to the juvenile in a single citation.";

On page 13, in line 25, after "to" by inserting "a repeated, intentional effort to"; also in line 25, after "juvenile" by inserting "as reported by the evidence-based services provider";

On page 14, in line 15, by striking "90" and inserting "45"; in line 39, after the period by inserting "The court services officer or community correctional services officer shall immediately notify the court and shall submit in writing a report showing in what manner the juvenile has violated probation, conditional release or a condition of sentence.";

On page 15, in line 19, after "court" by inserting "if the judge makes a finding that the juvenile is demonstrating escalating use of physical violence, aggression, weapons, damage to property or life-threatening substances"; following line 37, by inserting:

"Sec. 12. K.S.A. 65-536 is hereby amended to read as follows: 65-536. (a) A juvenile crisis intervention center is a facility that provides short-term observation, assessment, treatment and case planning, and referral for any juvenile who is experiencing a ~~mental behavioral~~ health crisis and is likely to cause harm to self or others. Such centers shall:

(1) Address or ensure access to the broad range of services to meet the needs of a juvenile admitted to the center, including, but not limited to, medical, psychiatric, psychological, social ~~and~~ educational and substance abuse-related services;

(2) not include construction features designed to physically restrict the movements and activities of juveniles, but shall have a design, structure, interior and exterior environment, and furnishings to promote a safe, comfortable and therapeutic

environment for juveniles admitted to the center;

(3) implement written policies and procedures that include the use of a combination of supervision, inspection and accountability to promote safe and orderly operations; and

(4) implement written policies and procedures for staff monitoring of all center entrances and exits.

(b) A juvenile crisis intervention center shall provide treatment to juveniles admitted to such center, as appropriate while admitted.

(c) A juvenile crisis intervention center may be on the same premises as that of another licensed facility. If the juvenile crisis intervention center is on the same premises as that of another licensed facility, the living unit of the juvenile crisis intervention center shall be maintained in a separate, self-contained unit. No juvenile crisis intervention center shall be in a city or county jail or a juvenile detention facility.

(d) (1) A juvenile may be admitted to a juvenile crisis intervention center when:

(A) The head of such center determines such juvenile is in need of treatment and likely to cause harm to self or others;

(B) a qualified mental health professional from a community mental health center has given written authorization for such juvenile to be admitted to a juvenile crisis intervention center; and

(C) no other more appropriate treatment services are available and accessible to the juvenile at the time of admission.

(2) A juvenile may be admitted to a juvenile crisis intervention center for not more than 30 days. A parent with legal custody or legal guardian of a juvenile placed in a juvenile crisis intervention center may remove such juvenile from the center at any time. If the removal may cause the juvenile to become a child in need of care pursuant to K.S.A. 38-2202(d), and amendments thereto, the head of a juvenile crisis intervention center may report such concerns to the department for children and families or law enforcement or may request the county or district attorney to initiate proceedings pursuant to the revised Kansas code for care of children. If the head of a juvenile crisis intervention center determines the most appropriate action is to request the county or district attorney to initiate proceedings pursuant to the revised Kansas code for care of children, the head of such center shall make such request and shall keep such juvenile in the center for an additional 24-hour period to initiate the appropriate proceedings.

(3) When a juvenile is released from a juvenile crisis intervention center, the managed care organization, if the juvenile is a medicaid recipient, and the community mental health center serving the area where the juvenile is being discharged shall be involved with discharge planning. Within seven days prior to the discharge of a juvenile, the head of the juvenile crisis intervention center shall give written notice of the date and time of the discharge to the patient, the managed care organization, if the juvenile is a medicaid recipient, and the community mental health center serving the area where the juvenile is being discharged, and the patient's parent, custodian or legal guardian.

(e) (1) Upon admission to a juvenile crisis intervention center, and if the juvenile is a medicaid recipient, the managed care organization shall approve services as recommended by the head of the juvenile crisis intervention center. Within 14 days after admission, the head of the juvenile crisis intervention center shall develop a plan of treatment for the juvenile in collaboration with the managed care organization.

(2) Nothing in this subsection shall prohibit the department of health and environment from administering or reimbursing state medicaid services to any juvenile admitted to a juvenile crisis intervention center pursuant to a waiver granted under section 1915(c) of the federal social security act, provided that such services are not administered through a managed care delivery system.

(3) Nothing in this subsection shall prohibit the department of health and environment from reimbursing any state medicaid services that qualify for reimbursement and that are provided to a juvenile admitted to a juvenile crisis intervention center.

(4) Nothing in this subsection shall impair or otherwise affect the validity of any contract in existence on July 1, 2018, between a managed care organization and the department of health and environment to provide state medicaid services.

(5) On or before January 1, 2019, the secretary of health and environment shall submit to the United States centers for medicare and medicaid services any approval request necessary to implement this subsection.

(f) The secretary for children and families, in consultation with the attorney general, shall promulgate rules and regulations to implement the provisions of this section on or before January 1, 2019.

(g) The secretary for children and families shall annually report information on outcomes of juveniles admitted into juvenile crisis intervention centers to the joint committee on corrections and juvenile justice oversight, the corrections and juvenile justice committee of the house of representatives and the judiciary committee of the senate. Such report shall include:

(1) The number of admissions, releases and the lengths of stay for juveniles admitted to juvenile crisis intervention centers;

(2) services provided to juveniles admitted;

(3) needs of juveniles admitted determined by evidence-based assessment; and

(4) success and recidivism rates, including information on the reduction of involvement of the child welfare system and juvenile justice system with the juvenile.

(h) The secretary of corrections may enter into memorandums of agreement with other cabinet agencies to provide funding, not to exceed \$2,000,000 annually, from the evidence-based programs account of the state general fund or other available appropriations for juvenile crisis intervention services.

(i) For the purposes of this section:

(1) "Behavioral health crisis" means behavioral and conduct issues that impact the safety or health of a juvenile, members of the juvenile's household or family or members of the community, including, but not limited to, non-life threatening mental health and substance abuse concerns;

(2) "head of a juvenile crisis intervention center" means the administrative director of a juvenile crisis intervention center or such person's designee;

~~(2)~~(3) "juvenile" means a person who is less than 18 years of age;

~~(3)~~(4) "likely to cause harm to self or others" means that a juvenile, by reason of the juvenile's behavioral health condition, mental disorder or mental condition is likely, in the reasonably foreseeable future, to cause substantial physical injury or physical abuse to self or others or substantial damage to another's property, as evidenced by behavior threatening, attempting or causing such injury, abuse or damage;

~~(4)~~(5) "treatment" means any service intended to promote the mental health of the

patient and rendered by a qualified professional, licensed or certified by the state to provide such service as an independent practitioner or under the supervision of such practitioner; and

~~(5)~~(6) "qualified mental health professional" means a physician or psychologist who is employed by a participating mental health center or who is providing services as a physician or psychologist under a contract with a participating mental health center, a licensed masters level psychologist, a licensed clinical psychotherapist, a licensed marriage and family therapist, a licensed clinical marriage and family therapist, a licensed professional counselor, a licensed clinical professional counselor, a licensed specialist social worker or a licensed master social worker or a registered nurse who has a specialty in psychiatric nursing, who is employed by a participating mental health center and who is acting under the direction of a physician or psychologist who is employed by, or under contract with, a participating mental health center.

(j) This section shall be part of and supplemental to article 5 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.";

On page 17, in line 1, by striking "mental" and inserting "behavioral"; in line 9, after the second "centers" by inserting ", community health centers, the youth advocate program, jobs for America's graduates Kansas transition services"; in line 41, before "The" by inserting "(1)"; in line 43, after "(a)" by inserting "and promising practices";

On page 18, in line 2, after "fund" by inserting "after other expenditures for evidence-based programs are made"; following line 8, by inserting:

"(2) Child welfare case management providers shall not be eligible to receive grants under this subsection.";

Also on page 18, in line 19, after "K.S.A." by inserting "38-2202,"; also in line 19, after the first comma by inserting "38-2231, 38-2243, 38-2302,"; also in line 19, by striking "38-2361" and inserting "38-2330"; also in line 19, after "38-2392," by inserting "65-536,";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, after the semicolon by inserting "requiring the secretary of corrections to provide assessments and certain services for juveniles in detention; changing the criteria used to refer and admit juveniles to juvenile crisis intervention centers; defining behavioral health crisis"; in line 6, by striking all after the semicolon; in line 7, by striking all before "amending"; also in line 7, after "K.S.A." by inserting "38-2202,"; also in line 7, after "38-2203," by inserting "38-2231, 38-2243, 38-2302,"; also in line 7, by striking "38-2361" and inserting "38-2330"; in line 8, after "38-2392," by inserting "65-536,";

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

KELLIE WARREN

RICK WILBORN

ETHAN CORSON

Conferees on part of Senate

STEPHEN OWENS

ERIC SMITH

BOOG HIGHBERGER

Conferees on part of House

Senator Warren moved the Senate adopt the Conference Committee Report on

HB 2021.

On roll call, the vote was: Yeas 22; Nays 16; Present and Passing 2; Absent or Not Voting 0.

Yeas: Alley, Billinger, Blasi, Claeys, Erickson, Fagg, Francisco, Gossage, Kloos, Longbine, Masterson, O'Shea, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Warren, Wilborn.

Nays: Baumgardner, Bowers, Corson, Dietrich, Haley, Holland, Holscher, Kerschen, McGinn, Olson, Pettey, Pittman, Reddi, Sykes, Tyson, Ware.

Present and Passing: Doll, Faust-Goudeau.

The Conference Committee Report was adopted.

On motion of Senator Alley, the Senate adjourned until 10:00 a.m., Thursday, April 27, 2023.

Journal of the Senate

SIXTY-THIRD DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, April 27, 2023, 10:00 a.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 40 senators present.
Invocation by Reverend Cecil T. Washington:

Lawgiver, Judge, Executive - 3 Government Branches
Isaiah 33:22, James 1:17

Heavenly Father, we have lawmakers who have looked at their veto powers, the ability or the potential to not accept but to reject a law. And You have created us with the freedom to do that. But Lord, the problem we're facing is wanting to veto Your law.

Keep us mindful of what You had the Prophet Isaiah tell us in 33:22, that You are our Judge, our Lawgiver and our King. And when we acknowledge You as Champion in all three capacities, we can see You as head of our three branches of government. It is then that we can see You as our Savior. That's why it is a disaster to attempt vetoing Your governance.

Lord, help us to see You as our Lawgiver. You've shown us what's right. As Our Executor, You've given us how to regulate, manage and apply. And, as our Judge, You address any of the violations.

Lord, You have not created us with the power to veto or overrule You. No matter how many of us vote against the principles of Your word, according to James 1:17, You don't change and what You say continues to stand. Help us to know that in the structure of Your economy that there is no such thing as majority rule.

By Your Holy Spirit, please show us Your rulership and be our Savior. I offer this prayer in Jesus' Name, Amen!

The Pledge of Allegiance was led by President Masterson.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was referred to Committee as indicated:

Ways and Means: **SB 326**.

MESSAGE FROM THE HOUSE

Announcing the House herewith transmits the veto message from the Governor, together with the enrolled copy of **House Bill 2094**, AN ACT concerning public assistance; relating to child care assistance; non-cooperation with child support; requiring the secretary to conduct reviews of cooperation; requiring work registrants

aged 50 through 59 to complete an employment and training program to receive food assistance; amending K.S.A. 2022 Supp. 39-709 and repealing the existing section. was received on April 24, 2023 and read on April 25, 2023.

“Leaders from both parties should be looking for ways to help people afford the basics, not burdening our hardworking Kansans who are just trying to get by.

With inflation causing the prices of goods and services to skyrocket, Kansans need relief, not further barriers.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **House Bill 2094.**”

A motion was made that **HB 2094** be passed notwithstanding the Governor's veto. By vote of 84 Yeas and 40 Nays, the motion having received the required two-thirds constitutional majority of the members elected or appointed to the House of Representatives, voting in the affirmative, the bill passed.

ACTIONS ON VETO MESSAGE

A motion was made by Senator Gossage that **HB 2094** be passed not withstanding the Governor's veto.

HB 2094, AN ACT concerning public assistance; relating to child care assistance; non-cooperation with child support; requiring the secretary to conduct reviews of cooperation; requiring work registrants aged 50 through 59 to complete an employment and training program to receive food assistance; amending K.S.A. 2022 Supp. 39-709 and repealing the existing section.

On roll call, the vote was: Yeas 28; Nays 12; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kersch, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

A two-thirds constitutional majority having voted in favor of overriding the Governor's veto, the motion prevailed and the bill passed.

EXPLANTION OF VOTE

Forty organizations in my district stand in strong opposition to this legislation. They join with the other 120 churches and pantries across the state that are already providing food assistance for Kansans. If we want all able-bodied citizens over the age of 50-59 to be working they need to be able to afford food. This bill denies the average SNAP benefit of \$2.00 a day. This is mean spirited legislation. I vote "NO."—PAT PETTEY

Senators Faust Goudeau and Haley request the record to show they concur with the "Explanation of Vote" offered by Senator Pettey on **HB 2094**.

I don't think food should be associated as a reward or a punishment for a behavior. As a teacher, I never rewarded a positive behavior with an M and M or withheld food as a consequence. Food is a human right and if you are hungry you should have food to

eat.—USHA REDDI

Senators Faust Goudeau and Haley request the record to show they concur with the "Explanation of Vote" offered by Senator Reddi on **HB 2094**.

Vice President Wilborn assumed the chair.

MESSAGE FROM THE HOUSE

Announcing the House herewith transmits the veto message from the Governor, together with the enrolled copy of **Senate Substitute HB 2138**, AN ACT concerning education; relating to school districts; requiring separate overnight accommodations for students of each biological sex during school district sponsored travel; requiring contracts for exclusive broadcasts of state high school activities association activities to permit certain local broadcasts; providing for administrative review of resolutions to permanently close a school building; amending K.S.A. 72-1431 and repealing the existing section, April 20, 2023 and read on April 24, 2023.

“Companies have made it clear that they are not interested in doing business with states that discriminate against workers and their families. By stripping away rights from Kansans and opening the state up to expensive and unnecessary lawsuits, these bills would hurt our ability to continue breaking economic records and landing new business deals.

I'm focused on the economy. Anyone care to join me?

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **Senate Bill 26, Senate Bill 180, Senate Bill 228 and S Sub House Bill 2138.**”

A motion was made that **S Sub HB 2138** be passed notwithstanding the Governor's veto. By vote of 85 Yeas and 39 Nays, the motion having received the required two-thirds constitutional majority of the members elected or appointed to the House of Representatives, voting in the affirmative, the bill passed.

ACTIONS ON VETO MESSAGE

A motion was made by Senator Baumgardner that **S Sub HB 2138** be passed notwithstanding the Governor's veto.

S Sub HB 2138, AN ACT concerning education; relating to school districts; requiring separate overnight accommodations for students of each biological sex during school district sponsored travel; requiring contracts for exclusive broadcasts of state high school activities association activities to permit certain local broadcasts; providing for administrative review of resolutions to permanently close a school building; amending K.S.A. 72-1431 and repealing the existing section.

On roll call, the vote was: Yeas 30; Nays 9; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Haley, Holland, Holscher, Pettey, Reddi, Sykes, Ware.

Present and Passing: Francisco.

A two-thirds constitutional majority having voted in favor of overriding the Governor's veto, the motion prevailed and the bill passed.

MESSAGE FROM THE HOUSE

Announcing the House herewith transmits the veto message from the Governor, together with the enrolled copy of **HB 2264**, AN ACT concerning health and healthcare; relating to abortion; requiring certain notifications that a medication abortion may be reversed; excluding certain procedures from the definition of abortion; amending K.S.A. 40-2,190, 65-4a01, 65-6701, 65-6708, 65-6723 and 65-6742 and repealing the existing sections, was received on April 19, 2023 and read on April 24, 2023.

“In August, Kansans made clear that they believe personal healthcare decisions should be made between a woman and her doctor, not politicians in Topeka. This bill would interfere with that relationship and given the uncertain science behind it, could be harmful to Kansans' health.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **House Bill 2264.**”

A motion was made that **HB 2264** be passed notwithstanding the Governor's veto. By vote of 84 Yeas and 40 Nays, the motion having received the required two-thirds constitutional majority of the members elected or appointed to the House of Representatives, voting in the affirmative, the bill passed.

ACTIONS ON VETO MESSAGE

A motion was made by Senator Gossage that **HB 2264** be passed notwithstanding the Governor's veto.

HB 2264, AN ACT concerning health and healthcare; relating to abortion; requiring certain notifications that a medication abortion may be reversed; excluding certain procedures from the definition of abortion; amending K.S.A. 40-2,190, 65-4a01, 65-6701, 65-6708, 65-6723 and 65-6742 and repealing the existing sections,

On roll call, the vote was: Yeas 29; Nays 11; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

A two-thirds constitutional majority having voted in favor of overriding the Governor's veto, the motion prevailed and the bill passed.

MESSAGE FROM THE HOUSE

Announcing the House herewith transmits the veto message from the Governor, together with the enrolled copy of **HB 2325**, AN ACT concerning insurance; relating to the healthcare provider insurance availability act; adding maternity center to the definition of "healthcare provider" contained therein; designating certain healthcare providers as being ineligible to purchase professional liability insurance from the

healthcare stabilization fund; requiring such healthcare providers to maintain continuous professional liability coverage equivalent to that provided by the healthcare stabilization fund as a condition of licensure; amending K.S.A. 40-3401 and 40-3403a and repealing the existing sections, was received April 24, 2023 and read on April 25, 2023.

“In August, Kansans voted against politicians in Topeka placing extreme restrictions on a woman's freedom to make her own personal healthcare decisions.

This bill goes against the will of the voters by depriving women of access to their constitutional right. It is also misleading. The truth is, no taxpayer dollars go to the Health Care Stabilization Fund.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **House Bill 2325.**”

A motion was made that **HB 2325** be passed notwithstanding the Governor's veto. By vote of 85 Yeas and 40 Nays, the motion having received the required two-thirds constitutional majority of the members elected or appointed to the House of Representatives, voting in the affirmative, the bill passed.

ACTIONS ON VETO MESSAGE

A motion was made by Senator Gossage that **HB 2325** be passed not withstanding the Governor's veto.

HB 2325, AN ACT concerning insurance; relating to the healthcare provider insurance availability act; adding maternity center to the definition of "healthcare provider" contained therein; designating certain healthcare providers as being ineligible to purchase professional liability insurance from the healthcare stabilization fund; requiring such healthcare providers to maintain continuous professional liability coverage equivalent to that provided by the healthcare stabilization fund as a condition of licensure; amending K.S.A. 40-3401 and 40-3403a and repealing the existing sections.

Upon the showing of five hands a Call of the Senate was requested.

On roll call, the vote was: Yeas 25; Nays 15; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Longbine, McGinn, Pettey, Pittman, Reddi, Sykes, Ware.

The veto was sustained.

The Call was lifted.

MESSAGE FROM THE HOUSE

Announcing the House herewith transmits the veto message from the Governor, together with the enrolled copy of **HB 2350**, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against persons; creating the crimes of

human smuggling and aggravated human smuggling; providing criminal penalties therefor, was received on April 24, 2023 and read on April 25, 2023.

“**House Bill 2350** is the product of a rushed process. I agree immigration issues need to be addressed, but this bill will have unintended consequences, from decimating our agriculture workforce to allowing the state to encroach into Kansans' personal lives.

You just have to look at basic examples: If a good Samaritan gives his or her fellow Kansan a ride to work and receives gas money in exchange - or if a paramedic, while on duty, transports someone to the emergency room- they could be subject to level-five felonies. That overcriminalization is unnecessary and shows that lawmakers haven't considered the full impact of this bill.

Kansans deserve considered, comprehensive legislation when it comes to immigration - not bills with sweeping language that would hurt law-abiding Kansas citizens and open the state up to expensive lawsuits.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **House Bill 2350.**”

A motion was made that **HB 2350** be passed notwithstanding the Governor's veto. By vote of 85 Yeas and 39 Nays, the motion having received the required two-thirds constitutional majority of the members elected or appointed to the House of Representatives, voting in the affirmative, the bill passed.

ACTIONS ON VETO MESSAGE

A motion was made by Senator Warren that **HB 2350** be passed notwithstanding the Governor's veto.

HB 2350, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against persons; creating the crimes of human smuggling and aggravated human smuggling; providing criminal penalties therefor,

On roll call, the vote was: Yeas 30; Nays 9; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Willborn.

Nays: Corson, Faust-Goudeau, Francisco, Holland, Holscher, Pettey, Reddi, Sykes, Ware.

Present and Passing: Haley.

A two-thirds constitutional majority having voted in favor of overriding the Governor's veto, the motion prevailed and the bill passed.

ORIGINAL MOTION

Senator Alley moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bills: **SB 8; S Sub HB 2010.**

President Masterson assumed the chair.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 8** 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 10, by inserting:

"New Section 1. (a) The following described property, to the extent herein specified, shall be and is hereby exempt from all property or ad valorem taxes levied under the laws of the state of Kansas: For all taxable years commencing after December 31, 2023, all real property and personal property owned and operated by a business in the state of Kansas that is used by the business predominantly for child care center, health club or restaurant purposes and is located within a city where there is at least one facility owned or operated by a governmental entity that competes against the business or within five miles of a facility owned or operated by a governmental entity that competes against the business and such competing facility owned or operated by a governmental entity is exempt from property or ad valorem taxes levied under any laws of the state of Kansas. For businesses that first begin ownership, operation and use of real and personal property for a qualifying purpose after July 1, 2023, the exemption shall only be granted if such competing activity by the governmental entity begins after the business claiming the exemption began using the real and personal property for a qualifying purpose pursuant to this section.

(b) To be eligible for the tax exemption authorized by this section, the business owning and operating the described property herein shall be in compliance with state law, city ordinances and county resolutions and shall be current in the payment of state and local taxes.

(c) For purposes of this section:

(1) "Competes against the business" means offering the same or substantially the same goods or services to the public and receiving any payment for those goods or services at least $\frac{1}{2}$ the number of days per tax year as the business claiming the tax exemption and such facility owned or operated by a governmental entity is predominantly used as a facility for child care center, health club or restaurant purposes. "Competes against the business" does not include providing such goods or services without receiving payment for those goods or services or providing such goods or services predominantly to its own employees or students.

(2) "Facility owned or operated by a governmental entity" means any facility owned or operated by the state of Kansas or any county, city, township, school district, community college, municipal university, public university or any other taxing district or political subdivision of the state that is supported with tax funds. Any facility owned or operated by a governmental entity that is to be funded as a result of an election where voters of the governmental entity are asked to approve the imposition of a tax or other funding for the facility, its operations or the repayment of bonds related to such facility shall include in the description of the ballot proposition that such governmental facility may compete against businesses and cause private business to become exempt from ad valorem property tax.

(3) "Real property and personal property owned and operated by a business" means any real property and personal property where the owner of the property is a business enterprise that operates the business and collects the payment of a fee entitling the buyer to use the facility or sells goods or services to the buyer and such owner of the property and operator of the business enterprise are the same business entity, a parent or subsidiary of the same business entity or have any direct or indirect common ownership.

New Sec. 2. Adverse influences not sufficiently accounted for in the agricultural use valuation formula for land devoted to agricultural use shall be addressed by the director of property valuation and the county appraiser. Adverse influences include, but are not limited to, canopy cover, salinity and alkalinity, water table fluctuation and newly constructed drainage and flood control areas. The county appraiser shall address canopy cover, salinity and alkalinity, water table fluctuation and newly constructed drainage and flood control areas as follows:

- (a) For canopy cover, the county appraiser shall:
 - (1) View the parcel;
 - (2) delineate the area impacted on a map;
 - (3) determine the appropriate reduction from actual inspection and make the appropriate reduction as follows:
 - (A) 0 to 25% cover = no reduction;
 - (B) 25% to 50% cover = 20% reduction;
 - (C) 50% to 75% cover = 30% reduction; and
 - (D) 75% to 100% cover = 50% reduction; and
 - (4) establish an adverse influence file for the parcel;
 - (b) for salinity and alkalinity, the county appraiser shall:
 - (1) Request that the taxpayer provide soil analysis from a crop consulting service;
 - (2) delineate the area impacted on a map;
 - (3) reduce the value as indicated by the report;
 - (4) establish an adverse influence file for the parcel; and
 - (5) notify the local United States department of agriculture natural resources conservation service (NRCS) office of the change;
 - (c) for water table fluctuation, the county appraiser shall:
 - (1) Delineate the area impacted on a map;
 - (2) contact the local NRCS office and request verification;
 - (3) contact the division of property valuation for assistance;
 - (4) obtain a temporary influence amount from the division of property valuation to use until the NRCS review is complete; and
 - (5) establish an adverse influence file for the parcel; and
 - (d) for newly constructed drainage and flood control areas, the county appraiser shall:
 - (1) View the parcel;
 - (2) delineate the area impacted on a map;
 - (3) contact the division of property valuation for assistance;
 - (4) receive an adverse influence amount from the division of property valuation after the division contacts the responsible agency; and
 - (5) establish an adverse influence file for the parcel.

New Sec. 3. (a) This section shall be known and may be cited as the pregnancy

resource act.

(b) As used in this section, "eligible charitable organization" means an organization that is:

(1) Exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(2) a nonprofit organization organized under the laws of this state; and

(3) a pregnancy center or residential maternity facility that:

(A) Maintains a dedicated phone number for clients;

(B) maintains in this state its primary physical office, clinic or residential home that is open for clients for a minimum of 20 hours a week, excluding state holidays;

(C) offers services, at no cost to the client, for the express purpose of providing assistance to women in order to carry their pregnancy to term, encourage parenting or adoption, prevent abortion and promote healthy childbirth; and

(D) utilizes trained and licensed medical professionals to perform any available medical procedures.

(c) (1) For taxable years commencing after December 31, 2022, a credit shall be allowed against the income, privilege or premium tax liability imposed upon a taxpayer pursuant to the Kansas income tax act, the privilege tax imposed upon any national banking association, state bank, trust company or savings and loan association pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, or the premiums tax and privilege fees imposed upon an insurance company pursuant to K.S.A. 40-252, and amendments thereto, in an amount equal to 50% of the total amount contributed during the taxable year by a taxpayer to an eligible charitable organization.

(2) A contribution for which a credit is claimed must be a voluntary contribution and shall not be a payment for services rendered.

(3) If the amount of such tax credit exceeds the taxpayer's tax liability for such tax year, the taxpayer may carry over the amount that exceeds such tax liability for deduction from the taxpayer's liability in the next succeeding tax 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 fifth tax year succeeding the tax year in which the contribution was made.

(4) In no event shall the total amount of credits allowed under this section for contributions to a single eligible charitable organization exceed \$5,000,000 per tax year.

(5) The aggregate amount of credits claimed pursuant to this section shall not exceed \$10,000,000 per tax year.

(d) Taxpayers claiming a credit authorized by this section shall provide the name of the eligible charitable organization and the amount of the contribution to the department of revenue on forms provided by the department.

(e) An eligible charitable organization shall provide the department with a written certification pursuant to subsection (f) that it meets all criteria to be considered an eligible charitable organization. The organization shall also notify the department of any changes that may affect eligibility under this section.

(f) The eligible charitable organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(1) Verification of the organization's status under section 501(c)(3) of the federal internal revenue code of 1986;

(2) a statement that the organization does not provide, pay for, refer for or provide coverage of abortions and does not financially support, partner with or affiliate with any other entity that provides, pays for, refers for or provides coverage of abortions, including nonsurgical abortions and abortifacients;

(3) a statement that the organization maintains its principal office or presence in this state and that at least 50% of its clients claim to be residents of this state; and

(4) any other information that the department requires to administer this section.

(g) The department shall review each written certification and determine whether the organization meets all the criteria to be considered an eligible charitable organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of eligible charitable organizations.

(h) Tax credits authorized by this section that are earned by a partnership, limited liability company, S corporation or other similar pass-through entity shall be allocated among all partners, members or shareholders, respectively, either in proportion to their ownership interest in such entity or as the partners, members or shareholders mutually agree as provided in an executed agreement.

(i) Prior to claiming any credit on a return, a taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within 30 days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. If the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this section in a tax year, the department shall so notify the applicant within 30 days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than 90 days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation.";

On page 5, following line 18, by inserting:

"Sec. 8. K.S.A. 2022 Supp. 79-1460 is hereby amended to read as follows: 79-1460. (a) (1) The county appraiser shall notify each taxpayer in the county annually on or before March 1 for real property and May 1 for personal property, by mail directed to the taxpayer's last known address, of the classification and appraised valuation of the taxpayer's property, except that, the valuation for all real property shall not be increased unless the record of the latest physical inspection was reviewed by the county or district appraiser, and documentation exists to support such increase in valuation in compliance with the directives and specifications of the director of property valuation, and such record and documentation is available to the affected taxpayer. The valuation for all real property also shall not be increased solely as the result of normal repair, replacement or maintenance of existing structures, equipment or improvements on the property. ~~For purposes of this section, "normal repair, replacement or maintenance" does not include new construction as defined in this section.~~ For the next two taxable years following the taxable year that the valuation for commercial real property has been reduced due to a final determination made pursuant to the valuation appeals process, the county appraiser

shall review the computer-assisted mass-appraisal of the property and if the valuation in either of those two years exceeds the value of the previous year by more than 5%, excluding new construction, change in use or change in classification, the county appraiser shall either:

~~(1)(A)~~ Adjust the valuation of the property based on the information provided in the previous appeal; or

~~(2)(B)~~ order an independent fee simple appraisal of the property to be performed by a Kansas certified real property appraiser. ~~As used in this section, "new construction" means the construction of any new structure or improvements or the remodeling or renovation of any existing structures or improvements on real property.~~

~~(2)~~ When the valuation for real property has been reduced due to a final determination made pursuant to the valuation appeals process for the prior year, and the county appraiser has already certified the appraisal rolls for the current year to the county clerk pursuant to K.S.A. 79-1466, and amendments thereto, the county appraiser may amend the appraisal rolls and certify the changes to the county clerk to implement the provisions of this subsection and reduce the valuation of the real property to the prior year's final determination, except that such changes shall not be made after October 31 of the current year. ~~For the purposes of this section and in the case of real property, the term "taxpayer" shall be deemed to be the person in ownership of the property as indicated on the records of the office of register of deeds or county clerk and, in the case where the real property or improvement thereon is the subject of a lease agreement, such term shall also be deemed to include the lessee of such property if the lease agreement has been recorded or filed in the office of the register of deeds. Such notice~~

~~(b) (1)~~ The notice provided under subsection (a) shall specify:

~~(A)~~ Separately ~~both for the previous and current two tax years and the current tax year,~~ the appraised and assessed values for each property class identified on the parcel. ~~Such notice shall also contain:~~

~~(B)~~ the uniform parcel identification number prescribed by the director of property valuation. ~~Such notice shall also contain; and~~

~~(C)~~ a statement of the taxpayer's right to appeal, the procedure to be followed in making such appeal and the availability without charge of the guide devised pursuant to subsection ~~(b)~~ (e).

~~(2)~~ Such notice may, and if the board of county commissioners so require, shall provide the parcel identification number, address and the sale date and amount of any or all sales utilized in the determination of appraised value of residential real property.

~~(c)~~ In any year in which no change in appraised valuation of any real property from its appraised valuation in the next preceding year is determined, an alternative form of notification which has been approved by the director of property valuation may be utilized by a county.

~~(d)~~ Failure to timely mail or receive such notice shall in no way invalidate the classification or appraised valuation as changed. The secretary of revenue shall adopt rules and regulations necessary to implement the provisions of this section.

~~(b)~~ For all taxable years commencing after December 31, 1999,

~~(e)~~ There shall be provided to each taxpayer, upon request, a guide to the property tax appeals process. The director of the division of property valuation shall devise and publish such guide; and shall provide sufficient copies thereof to all county appraisers.

Such guide shall include, but not be limited to:

(1) A restatement of the law which pertains to the process and practice of property appraisal methodology, including the contents of K.S.A. 79-503a and 79-1460, and amendments thereto;

(2) the procedures of the appeals process, including the order and burden of proof of each party and time frames required by law; and

(3) such other information deemed necessary to educate and enable a taxpayer to properly and competently pursue an appraisal appeal.

(f) As used in this section:

(1) "New construction" means the construction of any new structure or improvements or the remodeling or renovation of any existing structures or improvements on real property.

(2) "Normal repair, replacement or maintenance" does not include new construction.

(3) "Taxpayer" means the person in ownership of the property as indicated on the records of the office of register of deeds or county clerk and includes the lessee of such property if the lease agreement has been recorded or filed in the office of the register of deeds and the real property or improvement thereon is subject of a lease agreement.

Sec. 9. K.S.A. 2022 Supp. 79-1476 is hereby amended to read as follows: 79-1476. (a) The director of property valuation is hereby directed and empowered to administer and supervise a statewide program of reappraisal of all real property located within the state. Except as otherwise authorized by K.S.A. 19-428, and amendments thereto, each county shall comprise a separate appraisal district under such program, and the county appraiser shall have the duty of reappraising all of the real property in the county pursuant to guidelines and timetables prescribed by the director of property valuation and of updating the same on an annual basis. In the case of multi-county appraisal districts, the district appraiser shall have the duty of reappraising all of the real property in each of the counties comprising the district pursuant to such guidelines and timetables and of updating the same on an annual basis. Commencing in 2000, every parcel of real property shall be actually viewed and inspected by the county or district appraiser once every six years.

~~Compilation of data for the initial preparation or updating of inventories for each parcel of real property and entry thereof into the state computer system as provided for in K.S.A. 79-1477, and amendments thereto, shall be completed not later than January 1, 1989. Whenever the director determines that reappraisal of all real property within a county is complete, notification thereof shall be given to the governor and to the state board of tax appeals.~~

(b) Valuations shall be established for each parcel of real property at its fair market value in money in accordance with the provisions of K.S.A. 79-503a, and amendments thereto.

~~In addition thereto,~~ (c) (1) Valuations shall be established for each parcel of land devoted to agricultural use upon the basis of the agricultural income or productivity attributable to the inherent capabilities of such land in its current usage under a degree of management reflecting median production levels in the manner hereinafter provided. A classification system for all land devoted to agricultural use shall be adopted by the director of property valuation using criteria established by the United States department of agriculture natural resources conservation service.

(A) For all taxable years commencing after December 31, 1989, all land devoted to agricultural use that is subject to the federal conservation reserve program shall be classified as cultivated dry land for the purpose of valuation for property tax purposes pursuant to this section, except that for all taxable years commencing after December 31, 2022, all land devoted to agricultural use that is subject to the federal grassland conservation reserve program (CRP grasslands) shall be classified as grassland for the purpose of valuation for property tax purposes pursuant to this section.

(B) For all taxable years commencing after December 31, 1999, all land devoted to agricultural use that is subject to the federal wetlands reserve program shall be classified as native grassland for the purpose of valuation for property tax purposes pursuant to this section.

(2) Productivity of land devoted to agricultural use shall be determined for all land classes within each county or homogeneous region based on an average of the eight calendar years immediately preceding the calendar year that immediately precedes the year of valuation, at a degree of management reflecting median production levels. The director of property valuation shall determine median production levels based on information available from state and federal crop and livestock reporting services, the natural resources conservation service, and any other sources of data that the director considers appropriate.

(d) The share of net income from land in the various land classes within each county or homogeneous region that is normally received by the landlord shall be used as the basis for determining agricultural income for all land devoted to agricultural use except pasture or rangeland. The net income normally received by the landlord from such land shall be determined by deducting expenses normally incurred by the landlord from the share of the gross income normally received by the landlord. The net rental income normally received by the landlord from pasture or rangeland within each county or homogeneous region shall be used as the basis for determining agricultural income from such land. The net rental income from pasture and rangeland that is normally received by the landlord shall be determined by deducting expenses normally incurred from the gross income normally received by the landlord. Commodity prices, crop yields and pasture and rangeland rental rates and expenses shall be based on an average of the eight calendar years immediately preceding the calendar year that immediately precedes the year of valuation. Net income for every land class within each county or homogeneous region shall be capitalized at a rate determined to be the sum of the contract rate of interest on new federal land bank loans in Kansas on July 1 of each year averaged over a five-year period that includes the five years immediately preceding the calendar year which immediately precedes the year of valuation, plus a percentage not less than 0.75% nor more than 2.75%, as determined by the director of property valuation, except that the capitalization rate calculated for property tax year 2003, and all such years thereafter, shall not be less than 11% nor more than 12%.

(e) Based on the ~~foregoing~~ procedures provided in this section, the director of property valuation shall make an annual determination of the value of land within each of the various classes of land devoted to agricultural use within each county or homogeneous region and furnish the same to the several county appraisers who shall classify such land according to its current usage and apply the value applicable to such class of land according to the valuation schedules prepared and adopted by the director of property valuation under the provisions of this section.

(f) It is the intent of the legislature that appraisal judgment and appraisal standards be followed and incorporated throughout the process of data collection and analysis and establishment of values pursuant to this section.

~~For the purpose of the foregoing provisions of (g) As used in this section, the phrase:~~

(1) (A) "Land devoted to agricultural use" ~~shall mean means and include includes~~ land, regardless of whether it is located in the unincorporated area of the county or within the corporate limits of a city, that is devoted to the production of plants, animals or horticultural products, including, but not limited to: Forages; grains and feed crops; dairy animals and dairy products; poultry and poultry products; beef cattle, sheep, swine and horses; bees and apiary products; trees and forest products; fruits, nuts and berries; vegetables; and nursery, floral, ornamental and greenhouse products.

(B) "Land devoted to agricultural use" ~~shall include includes~~ land;

(i) Established as a controlled shooting area pursuant to K.S.A. 32-943, and amendments thereto, which shall be deemed to be land devoted to agricultural use-
"Land devoted to agricultural use" shall include land;

(ii) that is utilized by zoos that hold a valid class C exhibitor license issued by the United States department of agriculture. "Land devoted to agricultural use" shall include land; and

(iii) for all taxable years commencing after December 31, 2020, that is otherwise devoted to the production of plants, animals or horticultural products ~~that is incidentally used for agritourism activity~~ that is utilized as part of a registered agritourism activity at a registered agritourism location by a registered agritourism operator pursuant to K.S.A. 32-1432, and amendments thereto, including, but not limited to, all land and buildings, whether permanent or temporary, that are utilized for such agritourism activity. For purposes of this clause, the selling of any items, products, services or merchandise associated with the registered agritourism activity by a registered agritourism operator that includes, but is not limited to, point of sales from either land or buildings, shall not change the classification of the agricultural land or buildings as a result of such sales. For purposes of this section;

(2) "Agritourism activity" means any activity that allows members of the general public, for recreational, entertainment or educational purposes, to view or enjoy rural activities, including, but not limited to, farming activities, ranching activities or historic, cultural or natural attractions. An activity may be an "agrifourism activity" whether or not the participant pays to participate in the activity. An activity is not an "agrifourism activity" if the participant is paid to participate in the activity.

(h) If a parcel has land devoted to agricultural purposes and land used for suburban residential acreages, rural home sites or farm home sites, the county appraiser shall determine the amount of the parcel used for agricultural purposes and value and assess it accordingly as land devoted to agricultural purposes. The county appraiser shall then determine the amount of the remaining land used for such other purposes and value and assess that land according to its use.

(i) The term "expenses" ~~shall mean means~~ those expenses typically incurred in producing the plants, animals and horticultural products described above, including management fees, production costs, maintenance and depreciation of fences, irrigation wells, irrigation laterals and real estate taxes, ~~but the term shall.~~ "Expenses" does not include those expenses incurred in providing temporary or permanent buildings used in

the production of such plants, animals and horticultural products.

(j) ~~The provisions of this section~~ shall not be construed to conflict with any other provisions of law relating to the appraisal of tangible property for taxation purposes including the equalization processes of the county and state board of tax appeals.

Sec. 10. K.S.A. 79-1496 is hereby amended to read as follows: 79-1496. Within 60 days after the date the notice of informal meeting results or final determination is mailed to the taxpayer pursuant to K.S.A. 79-1448, and amendments thereto, any taxpayer aggrieved by the final determination of the county appraiser, who has not filed an appeal with the board of tax appeals pursuant to K.S.A. 74-2433f, 79-1448, 79-1609 or 79-1611, and amendments thereto, may file with the county appraiser a third-party fee simple appraisal performed by a Kansas certified general real property appraiser that reflects the value of the property as of January 1 for the same tax year being appealed. For determinations and appeals relating to residential property pursuant to this section, a taxpayer may file with the county appraiser a third-party fee simple appraisal performed by either a Kansas certified residential real property appraiser or a Kansas certified general real property appraiser that reflects the value of the property as of January 1 for the same tax year being appealed. Within 15 days after receipt of the appraisal, the county appraiser shall review and consider such appraisal in the determination of valuation or classification of the taxpayer's property and mail a supplemental notice of final determination. If the final determination is not in favor of the taxpayer then the county appraiser shall notify the taxpayer that the county is required to perform its own, or commission a fee simple single property appraisal. The county appraiser shall then have 90 days to furnish that appraisal along with a new supplemental notice of determination and if not in favor of the taxpayer include an explanation of the reasons the county appraiser did not rely upon the taxpayer's fee simple single property appraisal. Whenever a taxpayer submits a fee simple single property appraisal the burden of proof shall be on the county appraiser to dispute the value of that appraisal. Any taxpayer aggrieved by the final determination of the county appraiser may appeal to the state board of tax appeals as provided in K.S.A. 79-1609, and amendments thereto, within 30 days subsequent to the date of mailing of the supplemental notice of final determination.

Sec. 11. K.S.A. 2022 Supp. 79-2005 is hereby amended to read as follows: 79-2005. (a) Any taxpayer, before protesting the payment of such taxpayer's taxes, shall be required, either at the time of paying such taxes, or, if the whole or part of the taxes are paid prior to December 20, no later than December 20, or, with respect to taxes paid in whole or in part in an amount equal to at least $\frac{1}{2}$ of such taxes on or before December 20 by an escrow or tax service agent, no later than January 31 of the next year, to file a written statement with the county treasurer, on forms approved by the state board of tax appeals and provided by the county treasurer, clearly stating the grounds on which the whole or any part of such taxes are protested and citing any law, statute or facts on which such taxpayer relies in protesting the whole or any part of such taxes. When the grounds of such protest is an assessment of taxes made pursuant to K.S.A. 79-332a and 79-1427a, and amendments thereto, the county treasurer may not distribute the taxes paid under protest until such time as the appeal is final. When the grounds of such protest is that the valuation or assessment of the property upon which the taxes are levied is illegal or void, the county treasurer shall forward a copy of the written

statement of protest to the county appraiser who shall within 15 days of the receipt thereof, schedule an informal meeting with the taxpayer or such taxpayer's agent or attorney with reference to the property in question. At the informal meeting, it shall be the duty of the county appraiser or the county appraiser's designee to initiate production of evidence to substantiate the valuation of such property, including a summary of the reasons that the valuation of the property has been increased over the preceding year, any assumptions used by the county appraiser to determine the value of the property and a description of the individual property characteristics, property specific valuation records and conclusions. The taxpayer shall be provided with the opportunity to review the data sheets applicable to the valuation approach utilized for the subject property. The county appraiser shall take into account any evidence provided by the taxpayer which relates to the amount of deferred maintenance and depreciation of the property. The county appraiser shall review the appraisal of the taxpayer's property with the taxpayer or such taxpayer's agent or attorney and may change the valuation of the taxpayer's property, if in the county appraiser's opinion a change in the valuation of the taxpayer's property is required to assure that the taxpayer's property is valued according to law, and shall, within 15 business days thereof, notify the taxpayer in the event the valuation of the taxpayer's property is changed, in writing of the results of the meeting. The county appraiser shall not increase the appraised valuation of the property as a result of the informal meeting. In the event the valuation of the taxpayer's property is changed and such change requires a refund of taxes and interest thereon, the county treasurer shall process the refund in the manner provided by subsection (l).

(b) ~~No protest appealing the valuation or assessment of property shall be filed pertaining to any year's valuation or assessment when an appeal of such valuation or assessment was commenced pursuant to K.S.A. 79-1448, and amendments thereto, nor shall~~ The second half payment of taxes shall not be protested when the first half payment of taxes has been protested. Notwithstanding the foregoing, this provision shall not prevent any subsequent owner from protesting taxes levied for the year in which such property was acquired, nor shall it prevent any taxpayer from protesting taxes when the valuation or assessment of such taxpayer's property has been changed pursuant to an order of the director of property valuation.

(c) A protest shall not be necessary to protect the right to a refund of taxes in the event a refund is required because the final resolution of an appeal commenced pursuant to K.S.A. 79-1448, and amendments thereto, occurs after the final date prescribed for the protest of taxes.

(d) If the grounds of such protest shall be that the valuation or assessment of the property upon which the taxes so protested are levied is illegal or void, such statement shall further state the exact amount of valuation or assessment which the taxpayer admits to be valid and the exact portion of such taxes which is being protested.

(e) If the grounds of such protest shall be that any tax levy, or any part thereof, is illegal, such statement shall further state the exact portion of such tax which is being protested.

(f) Upon the filing of a written statement of protest, the grounds of which shall be that any tax levied, or any part thereof, is illegal, the county treasurer shall mail a copy of such written statement of protest to the state board of tax appeals and the governing body of the taxing district making the levy being protested.

(g) Within 30 days after notification of the results of the informal meeting with the

county appraiser pursuant to subsection (a), the protesting taxpayer may, if aggrieved by the results of the informal meeting with the county appraiser, appeal such results to the state board of tax appeals.

(h) After examination of the copy of the written statement of protest and a copy of the written notification of the results of the informal meeting with the county appraiser in cases where the grounds of such protest is that the valuation or assessment of the property upon which the taxes are levied is illegal or void, the board shall conduct a hearing in accordance with the provisions of the Kansas administrative procedure act, unless waived by the interested parties in writing. If the grounds of such protest is that the valuation or assessment of the property is illegal or void the board shall notify the county appraiser thereof.

(i) In the event of a hearing, the same shall be originally set not later than 90 days after the filing of the copy of the written statement of protest and a copy, when applicable, of the written notification of the results of the informal meeting with the county appraiser with the board. With regard to any matter properly submitted to the board relating to the determination of valuation of residential property or real property used for commercial and industrial purposes for taxation purposes, it shall be the duty of the county appraiser to initiate the production of evidence to demonstrate, by a preponderance of the evidence, the validity and correctness of such determination except that no such duty shall accrue to the county or district appraiser with regard to leased commercial and industrial property unless the property owner has furnished to the county or district appraiser a complete income and expense statement for the property for the three years next preceding the year of appeal. No presumption shall exist in favor of the county appraiser with respect to the validity and correctness of such determination. In all instances where the board sets a request for hearing and requires the representation of the county by its attorney or counselor at such hearing, the county shall be represented by its county attorney or counselor. The board shall take into account any evidence provided by the taxpayer which relates to the amount of deferred maintenance and depreciation for the property. In any appeal from the reclassification of property that was classified as land devoted to agricultural use for the preceding year, the taxpayer's classification of the property as land devoted to agricultural use shall be presumed to be valid and correct if the taxpayer provides an executed lease agreement or other documentation demonstrating a commitment to use the property for agricultural use, if no other actual use is evident. With regard to any matter properly submitted to the board relating to the determination of valuation of property for taxation purposes, the board shall not increase the appraised valuation of the property to an amount greater than the appraised value reflected in the notification of the results of the informal meeting with the county appraiser from which the taxpayer appealed.

(j) When a determination is made as to the merits of the tax protest, the board shall render and serve its order thereon. The county treasurer shall notify all affected taxing districts of the amount by which tax revenues will be reduced as a result of a refund.

(k) If a protesting taxpayer fails to file a copy of the written statement of protest and a copy, when applicable, of the written notification of the results of the informal meeting with the county appraiser with the board within the time limit prescribed, such protest shall become null and void and of no effect whatsoever.

(l) (1) In the event the board orders that a refund be made pursuant to this section or the provisions of K.S.A. 79-1609, and amendments thereto, or a court of competent

jurisdiction orders that a refund be made, and no appeal is taken from such order, or in the event a change in valuation which results in a refund pursuant to subsection (a), the county treasurer shall, as soon thereafter as reasonably practicable, refund to the taxpayer such protested taxes and, with respect to protests or appeals commenced after the effective date of this act, interest computed at the rate prescribed by K.S.A. 79-2968, and amendments thereto, minus two percentage points, per annum from the date of payment of such taxes from tax moneys collected but not distributed. Upon making such refund, the county treasurer shall charge the fund or funds having received such protested taxes, except that, with respect to that portion of any such refund attributable to interest the county treasurer shall charge the county general fund. In the event that the state board of tax appeals or a court of competent jurisdiction finds that any time delay in making its decision is unreasonable and is attributable to the taxpayer, it may order that no interest or only a portion thereof be added to such refund of taxes.

(2) No interest shall be allowed pursuant to paragraph (1) in any case where the tax paid under protest was inclusive of delinquent taxes.

(m) Whenever, by reason of the refund of taxes previously received or the reduction of taxes levied but not received as a result of decreases in assessed valuation, it will be impossible to pay for imperative functions for the current budget year, the governing body of the taxing district affected may issue no-fund warrants in the amount necessary. Such warrants shall conform to the requirements prescribed by K.S.A. 79-2940, and amendments thereto, except they shall not bear the notation required by such section and may be issued without the approval of the state board of tax appeals. The governing body of such taxing district shall make a tax levy at the time fixed for the certification of tax levies to the county clerk next following the issuance of such warrants sufficient to pay such warrants and the interest thereon. All such tax levies shall be in addition to all other levies authorized by law.

(n) Whenever a taxpayer appeals to the board of tax appeals pursuant to the provisions of K.S.A. 79-1609, and amendments thereto, or pays taxes under protest related to one property whereby the assessed valuation of such property exceeds 5% of the total county assessed valuation of all property located within such county and the taxpayer receives a refund of such taxes paid under protest or a refund made pursuant to the provisions of K.S.A. 79-1609, and amendments thereto, the county treasurer or the governing body of any taxing subdivision within a county may request the pooled money investment board to make a loan to such county or taxing subdivision as provided in this section. The pooled money investment board is authorized and directed to loan to such county or taxing subdivision sufficient funds to enable the county or taxing subdivision to refund such taxes to the taxpayer. 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 such loan. Each loan shall bear interest at a rate equal to the net earnings rate of the pooled money investment portfolio at the time of the making of such loan. The total aggregate amount of loans under this program shall not exceed \$50,000,000 of unencumbered funds pursuant to article 42 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto. 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 county treasurer or governing body of the amount of each loan

authorized pursuant to this subsection, the pooled money investment board shall transfer each such amount certified by the county treasurer or governing body from the state bank account or accounts prescribed in this subsection to the county treasurer who shall deposit such amount in the county treasury. Any such loan authorized pursuant to this subsection shall be repaid within four years. The county or taxing subdivision shall make not more than four equal annual tax levies at the time fixed for the certification of tax levies to the county clerk following the making of such loan sufficient to pay such loan within the time period required under such loan. All such tax levies shall be in addition to all other levies authorized by law.

(o) The county treasurer shall disburse to the proper funds all portions of taxes paid under protest and shall maintain a record of all portions of such taxes which are so protested and shall notify the governing body of the taxing district levying such taxes thereof and the director of accounts and reports if any tax protested was levied by the state.

(p) This statute shall not apply to the valuation and assessment of property assessed by the director of property valuation and it shall not be necessary for any owner of state assessed property, who has an appeal pending before the state board of tax appeals, to protest the payment of taxes under this statute solely for the purpose of protecting the right to a refund of taxes paid under protest should that owner be successful in that appeal.

Sec. 12. K.S.A. 2022 Supp. 79-2988 is hereby amended to read as follows: 79-2988. (a) On or before June 15 each year, the county clerk shall calculate the revenue neutral rate for each taxing subdivision and include such revenue neutral rate on the notice of the estimated assessed valuation provided to each taxing subdivision for budget purposes. The director of accounts and reports shall modify the prescribed budget information form to show the revenue neutral rate.

(b) No tax rate in excess of the revenue neutral rate shall be levied by the governing body of any taxing subdivision unless a resolution or ordinance has been approved by the governing body according to the following procedure:

(1) At least 10 days in advance of the public hearing, the governing body shall publish notice of its proposed intent to exceed the revenue neutral rate by publishing notice: ~~(A)~~ on the website of the governing body, if the governing body maintains a website; and

~~(B)~~ in a weekly or daily newspaper of the county having a general circulation therein. The notice shall include, but not be limited to, its proposed tax rate, its revenue neutral rate and the date, time and location of the public hearing.

(2) On or before July 20, the governing body shall notify the county clerk of its proposed intent to exceed the revenue neutral rate and provide the date, time and location of the public hearing and its proposed tax rate. For all tax years commencing after December 31, 2021, the county clerk shall notify each taxpayer with property in the taxing subdivision, by mail directed to the taxpayer's last known address, of the proposed intent to exceed the revenue neutral rate at least 10 days in advance of the public hearing. Alternatively, the county clerk may transmit the notice to the taxpayer by electronic means at least 10 days in advance of the public hearing, if such taxpayer and county clerk have consented in writing to service by electronic means. The county clerk shall consolidate the required information for all taxing subdivisions relevant to the taxpayer's property on one notice. The notice shall be in a format prescribed by the

director of accounts and reports. The notice shall include, but not be limited to:

(A) The revenue neutral rate of each taxing subdivision relevant to the taxpayer's property;

~~(B) the proposed property tax revenue needed to fund the proposed budget of the taxing subdivision, if the taxing subdivision notified the county clerk of its proposed intent to exceed its revenue neutral rate;~~

~~(C) the proposed tax rate based upon the proposed budget and the current year's total assessed valuation of the taxing subdivision, if the taxing subdivision notified the county clerk of its proposed intent to exceed its revenue neutral rate;~~

~~(D) the percentage by which the proposed tax rate exceeds the revenue neutral rate;~~

~~(E) the tax rate and property tax of each taxing subdivision on the taxpayer's property from the previous year's tax statement;~~

~~(F) the appraised value and assessed value of the taxpayer's property for the current year;~~

~~(G) the estimates of the tax for the current tax year on the taxpayer's property based on the revenue neutral rate of each taxing subdivision and any proposed tax rates that exceed the revenue neutral rates;~~

~~(H) the difference between the estimates of tax based on the proposed tax rate and the revenue neutral rate on the taxpayer's property described in subparagraph (G) for any taxing subdivision that has a proposed tax rate that exceeds its revenue neutral rate; and~~

~~(I) the date, time and location of the public hearing of the taxing subdivision, if the taxing subdivision notified the county clerk of its proposed intent to exceed its revenue neutral rate.~~The following heading:

"NOTICE OF PROPOSED PROPERTY TAX INCREASE AND PUBLIC HEARINGS

[Current year] [County name] County Revenue Neutral Rate Notice

This is NOT a bill. Do not remit payment.";

(B) the following statement:

"This notice contains estimates of the tax on your property and proposed property tax increases. THE ACTUAL TAX ON YOUR PROPERTY MAY INCREASE OR DECREASE FROM THESE ESTIMATES. Governing bodies of taxing subdivisions must vote in order to exceed the Revenue Neutral Rate to increase the total property taxes collected. Governing bodies will vote at public hearings at the dates, times and locations listed. Taxpayers may attend and comment at the hearings. Property tax statements will be issued after mill rates are finalized and taxes are calculated.";

(C) the appraised value and assessed value of the taxpayer's property for the current year and the previous year;

(D) the amount of property tax of each taxing subdivision on the taxpayer's property from the previous year's tax statement in a column titled: "[Previous year] Tax";

(E) the estimated amount of property tax for the current year of each taxing subdivision on the taxpayer's property based on the revenue neutral rate of each taxing subdivision in a column titled: "[Current year] Tax at Revenue Neutral Rate";

(F) the estimated amount of property tax for the current year of each taxing subdivision on the taxpayer's property based on either: (i) The revenue neutral rate for a taxing subdivision that does not intend to exceed its revenue neutral rate; or (ii) the

proposed tax rate provided by the taxing subdivision, if the taxing subdivision notified the county clerk of its proposed intent to exceed its revenue neutral rate in a column titled: "[Current year] Maximum Tax";

(G) the difference between the amount of the current year's maximum tax and the previous year's tax, reflected in dollars and a percentage, for each taxing subdivision in a column titled: "[Current year] Maximum Tax Exceeding [Previous year] Tax";

(H) the date, time and location of the public hearing of each taxing subdivision that notified the county clerk of its proposed intent to exceed its revenue neutral rate in a column titled: "Date, Time and Location of Public Hearing"; and

(I) for each taxing subdivision public hearing listed pursuant to subparagraph (H), the difference between the current year's maximum tax and the estimated amount of property tax based on the revenue neutral rate of such taxing subdivision in a column titled: "[Current year] Maximum Tax Exceeding Tax at Revenue Neutral Rate".

Although the state of Kansas is not a taxing subdivision for purposes of this section, the notice shall include ~~a statement of the statutory mill levies imposed by the state~~ the previous year's tax amount and the estimate of the tax for the current year on the taxpayer's property based on ~~such the statutory mill~~ levies.

(3) The public hearing to consider exceeding the revenue neutral rate shall be held not sooner than August 20 and not later than September 20. The governing body shall provide interested taxpayers desiring to be heard an opportunity to present oral testimony within reasonable time limits and without unreasonable restriction on the number of individuals allowed to make public comment. The public hearing may be conducted in conjunction with the proposed budget hearing pursuant to K.S.A. 79-2929, and amendments thereto, if the governing body otherwise complies with all requirements of this section. Nothing in this section shall be construed to prohibit additional public hearings that provide additional opportunities to present testimony or public comment prior to the public hearing required by this section.

(4) A majority vote of the governing body, by the adoption of a resolution or ordinance to approve exceeding the revenue neutral rate, shall be required prior to adoption of a proposed budget that will result in a tax rate in excess of the revenue neutral rate. Such vote of the governing body shall be conducted at the public hearing after the governing body has heard from interested taxpayers and shall be a roll call vote. If the governing body approves exceeding the revenue neutral rate, the governing body shall not adopt a budget that results in a tax rate in excess of its proposed tax rate as stated in the notice provided pursuant to this section. A copy of the resolution or ordinance to approve exceeding the revenue neutral rate and a certified copy of any roll call vote reporting, at a minimum, the name and vote of each member of the governing body related to exceeding the revenue neutral rate, whether approved or not, shall be included with the adopted budget, budget certificate and other budget forms filed with the county clerk and the director of accounts and reports and shall be published on the website of the department of administration.

(c) (1) Any governing body subject to the provisions of this section that does not comply with subsection (b) shall refund to taxpayers any property taxes over-collected based on the amount of the levy that was in excess of the revenue neutral rate.

(2) Any taxpayer of the taxing subdivision that is the subject of the complaint or such taxpayer's duly authorized representative may file a complaint with the state board of tax appeals by filing a written complaint, on a form prescribed by the board, that

contains the facts that the complaining party believes show that a governing body of a taxing subdivision did not comply with the provisions of subsection (b) and that a reduction or refund of taxes is appropriate. The complaining party shall provide a copy of such complaint to the governing body of the taxing subdivision making the levy that is the subject of the complaint. Notwithstanding K.S.A. 74-2438a, and amendments thereto, no filing fee shall be charged by the executive director of the state board of tax appeals for a complaint filed pursuant to this paragraph. The governing body of the taxing subdivision making the levy that is the subject of the complaint shall be a party to the proceeding. Notice of any summary proceeding or hearing shall be served upon such governing body, the county clerk, the director of accounts and reports and the complaining party. It shall be the duty of the governing body to initiate the production of evidence to demonstrate, by a preponderance of the evidence, the validity of such levy. If upon a summary proceeding or hearing, it shall be made to appear to the satisfaction of the board that the governing body of the taxing subdivision did not comply with subsection (b), the state board of tax appeals shall order such governing body to refund to taxpayers the amount of property taxes over collected or reduce the taxes levied, if uncollected. The provisions of this paragraph shall not be construed as prohibiting any other remedies available under the law.

(d) On and after January 1, 2022, in the event that the 20 mills levied by a school district pursuant to K.S.A. 72-5142, and amendments thereto, increases the property tax revenue generated for the purpose of calculating the revenue neutral rate from the previous tax year and such amount of increase in revenue generated from the 20 mills is the only reason the school district would exceed the total property tax revenue from the prior year, the school district shall be deemed to not have exceeded the revenue neutral rate in levying a tax rate in excess of the revenue neutral rate to take into account the increase in revenue from only the 20 mills.

(e) (1) Notwithstanding any other provision of law to the contrary, if the governing body of a taxing subdivision must conduct a public hearing to approve exceeding the revenue neutral rate under this section, the governing body of the taxing subdivision shall certify, on or before October 1, to the proper county clerk the amount of ad valorem tax to be levied.

(2) If a governing body of a taxing subdivision did not comply with the provisions of subsection (b) and certifies to the county clerk an amount of ad valorem tax to be levied that would result in a tax rate in excess of its revenue neutral rate, the county clerk shall reduce the ad valorem tax to be levied to the amount resulting from such taxing subdivision's revenue neutral rate.

(f) As used in this section:

(1) "Taxing subdivision" means any political subdivision of the state that levies an ad valorem tax on property.

(2) "Revenue neutral rate" means the tax rate for the current tax year that would generate the same property tax revenue as levied the previous tax year using the current tax year's total assessed valuation. To calculate the revenue neutral rate, the county clerk shall divide the property tax revenue for such taxing subdivision levied for the previous tax year by the total of all taxable assessed valuation in such taxing subdivision for the current tax year, and then multiply the quotient by 1,000 to express the rate in mills. The revenue neutral rate shall be expressed to the third decimal place.

(g) In the event that a county clerk incurred costs of printing and postage that were

not reimbursed pursuant to K.S.A. 2022 Supp. 79-2989, 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.

(h) The department of administration or the director of accounts and reports shall make copies of adopted budgets, budget certificates, other budget documents and revenue neutral rate documents available to the public on the department of administration's website on a permanently accessible web page that may be accessed via a conspicuous link to that web page placed on the front page of the department's website. The department of administration or the director of accounts and reports shall also make the following information for each tax year available on such website:

- (1) A list of taxing subdivisions by county;
- (2) whether each taxing subdivision conducted a hearing to consider exceeding its revenue neutral rate;
- (3) the revenue neutral rate of each taxing subdivision;
- (4) the tax rate resulting from the adopted budget of each taxing subdivision; and
- (5) the percent change between the revenue neutral rate and the tax rate for each taxing subdivision.

Sec. 13. K.S.A. 2022 Supp. 79-2989 is hereby amended to read as follows: 79-2989. (a) ~~For calendar years 2022 and 2023, For calendar years 2023 and 2024,~~ if a county clerk has printing or postage costs pursuant to K.S.A. 2022 Supp. 79-2988, 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 K.S.A. 2022 Supp. 79-2988, 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.";

On page 8, following line 21, by inserting:

"Sec. 15. K.S.A. 2022 Supp. 79-32,117, as amended by section 5 of 2023 House Bill No. 2197, 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 subsection (c)(xv) 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. 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. 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. 72-4357, 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.

(xxviii) For all taxable years beginning after December 31, 2021, the amount of any contributions to, or earnings from, a first-time home buyer savings account if distributions from the account were not used to pay for expenses or transactions authorized pursuant to K.S.A. 2022 Supp. 58-4904, and amendments thereto, or were not held for the minimum length of time required pursuant to K.S.A. 2022 Supp. 58-4904, and amendments thereto. Contributions to, or earnings from, such account shall also include any amount resulting from the account holder not designating a surviving payable on death beneficiary pursuant to K.S.A. 2022 Supp. 58-4904(e), and amendments thereto.

(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, work opportunity tax credit and similar disallowances under 26 U.S.C. § 280C. For taxable years beginning after December 31, 2019, the provisions of this paragraph shall also apply to the employee retention credit disallowance. The subtraction modification provided by this paragraph for the employee retention credit disallowance shall be limited to 25% of the amount of such disallowance.

(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, 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.

(xxviii) For all taxable years beginning after December 31, 2021: (1) The amount contributed to a first-time home buyer savings account pursuant to K.S.A. 2022 Supp. 58-4903, and amendments thereto, in an amount not to exceed \$3,000 for an individual or \$6,000 for a married couple filing a joint return; or (2) amounts received as income earned from assets in a first-time home buyer savings account.

(xxix) For taxable years beginning after December 31, 2017, for an individual taxpayer who carried back federal net operating losses arising in a taxable year beginning after December 31, 2017, and before January 1, 2021, pursuant to section 172(b)(1) of the federal internal revenue code as amended by the coronavirus aid, relief,

and economic security act (CARES act), the amount of such federal net operating loss carryback for each applicable year. If the amount of such federal net operating loss carryback exceeds the taxpayer's Kansas adjusted gross income for such taxable year, the amount thereof that exceeds such Kansas adjusted gross income may be carried forward as a subtraction modification in the following taxable year or years until the total amount of such federal net operating loss carryback has been deducted, except that no such unused amount shall be carried forward for deduction as a subtraction modification after the 20th taxable year following the taxable year of the net operating loss. Notwithstanding any other provision of law to the contrary, an extension of time shall be allowed for a claim for refund or amended return for tax years 2018, 2019 or 2020 limited to the application of the provisions of this paragraph and such claim for refund or amended return must be filed on or before April 15, 2025.

(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.

Sec. 16. K.S.A. 79-32,202a is hereby amended to read as follows: 79-32,202a. (a) ~~(1) Commencing in For tax year years 2014, and all tax years thereafter through 2022,~~ and in addition to the credit provided in subsection (b), there shall be allowed as a credit against the tax liability of a resident individual imposed under the Kansas income tax act an amount equal to: ~~(1)(A) 25% of the amount of the credit allowed against such taxpayer's federal income tax liability pursuant to section 23 of the federal internal revenue code determined without regard to subsection (c) of such section; (2)(B) in addition to subsection (a)(1)(A), 25% of the amount of such federal income tax credit, if the child adopted by the taxpayer was a resident of Kansas prior to such lawful adoption; and (3)(C) in addition to subsections (a)(1)(A) and (a)(2)(B), 25% of the amount of such federal income tax credit, if the child adopted by the taxpayer is a child with special needs, as defined in section 23 of the federal internal revenue code, and the child was a resident of Kansas prior to such lawful adoption, for the taxable year in which such credit was claimed against the taxpayer's federal income tax liability.~~

(2) For tax year 2023, and all tax years thereafter, and in addition to the credit provided in subsection (b), there shall be allowed as a credit against the tax liability of a resident individual imposed under the Kansas income tax act an amount equal to: (A) 75% of the amount of the credit allowed against such taxpayer's federal income tax liability pursuant to section 23 of the federal internal revenue code determined without regard to subsection (c) of such section; and (B) in addition to subsection (a)(2)(A), 25% of the amount of such federal income tax credit, if the child adopted by the taxpayer is a child with special needs, as defined in section 23 of the federal internal revenue code, and the child was a resident of Kansas prior to such lawful adoption, for the taxable year in which such credit was claimed against the taxpayer's federal income tax liability.

(b) ~~Commencing in For tax year 2014, and all tax years thereafter,~~ there shall be allowed as a credit against the tax liability of a resident individual imposed under the Kansas income tax act an amount equal to \$1,500 for the taxable year in which occurs

the lawful adoption of a child in the custody of the secretary for children and families or a child with special needs, whether or not such individual is reimbursed for all or part of qualified adoption expenses or has received a public or private grant therefor. As used in this subsection, terms and phrases shall have the meanings ascribed thereto by the provisions of section 23 of the federal internal revenue code.

(c) The credit allowed by subsections (a)(1) and (b) for tax years 2014 through 2022 shall not exceed the amount of the tax imposed by K.S.A. 79-32,110, and amendments thereto, reduced by the sum of any other credits allowable pursuant to law. If the amount of such tax credit exceeds the taxpayer's income tax liability for such taxable year, the amount thereof ~~which that~~ 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 credits has been deducted from tax liability.

(d) For tax year 2023, and all tax years thereafter, if the amount of the credit allowed by subsections (a)(2) and (b) exceeds the taxpayer's income tax liability for such taxable year, the amount thereof that exceeds such tax liability shall be refunded to the taxpayer.

Sec. 17. K.S.A. 79-32,273 is hereby amended to read as follows: 79-32,273. (a) ~~For tax years 2019 through 2023, The provisions of this section shall be known and may be cited as the disability employment act.~~

(b) A credit shall be allowed against the tax imposed by the Kansas income tax act in an amount equal to 15% of the amount for expenditures of goods and services purchased by the taxpayer from a qualified vendor ~~on and after January 1, 2019, and before January 1, 2024,~~ as certified by the secretary of commerce as provided in subsection ~~(e)~~ (d). The amount of such credit awarded for each taxpayer shall not exceed \$500,000 per qualified vendor per tax year. In no event shall the total amount of cumulative credits allowed under this section exceed:

- (1) \$5,000,000 for tax years 2019 through 2023;
- (2) \$10,000,000 for all tax years that the credit remains in effect tax years 2024 through 2028; and
- (3) \$10,000,000 for each consecutive five tax years thereafter starting with tax year 2029.

~~(b)(c)~~ (c) The tax credit allowed by this section shall be deducted from the taxpayer's income tax liability for the tax year in which the expenditures were made by the taxpayer. If the amount of such tax credit exceeds the taxpayer's income tax liability for such tax year, the taxpayer may carry over the amount that exceeds such tax liability for deduction from the taxpayer's liability in the next succeeding tax 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 tax year succeeding the tax year in which the expenditures were incurred.

~~(e)(d)~~ (d) The secretary of commerce shall annually certify that expenditures for goods and services purchased by a taxpayer subject to the tax credit provided in this section were made from a qualified vendor, and provide such certification to the secretary of revenue. The secretary of commerce is hereby authorized to promulgate rules and regulations for establishing criteria based on the provisions of K.S.A. 75-3317 et seq., and amendments thereto, for evaluating whether purchases by taxpayers from a qualified vendor should be certified as provided in this section, with the assistance and

approval of the secretary of revenue.

~~(d)~~(e) As used in this section:

(1) ~~"Certified business"~~"Qualified vendor" means:

~~(A) Any business certified by the department of administration that qualifies as a certified business pursuant to K.S.A. 75-3740, and amendments thereto, and is a not-for-profit business that is a sole proprietorship, partnership, association or corporation domiciled in Kansas, or any corporation, even if a wholly owned subsidiary of a foreign corporation, that:~~

~~(A)(i) Does business primarily in Kansas or substantially all of its production in Kansas;~~

~~(B)(ii) employs at least 30% of its employees in an integrated setting who are individuals with disabilities and reside in Kansas;~~

~~(C)(iii) offers to contribute at least 75% of the premium cost for individual health insurance coverage for each eligible employee. The department of administration shall require a certification of these facts; and~~

~~(D)(iv) does not employ individuals under a certificate issued by the United States secretary of labor under 29 U.S.C. § 214(c);~~

~~(B) qualifies as a qualified vendor pursuant to K.S.A. 75-3317, and amendments thereto, and also:~~

~~(i) Employs at least 30% of its employees in an integrated setting;~~

~~(ii) offers to contribute at least 75% of the premium cost for individual health insurance coverage for each eligible employee or offers a qualified company-sponsored insurance plan under the affordable care act or pays the required subsidy to the internal revenue service for employees who purchase insurance through the open market, if a company-sponsored plan is not offered. If any such company is not covered under the affordable care act and does not offer a company-sponsored insurance plan, such company must offer assistance to the employee to cover at least 75% of their health insurance costs through a health savings account or other legal and appropriate methodology; and~~

~~(iii) does not employ individuals under a certificate issued by the United States secretary of labor under 29 U.S.C. § 214(c); or~~

~~(C) a division within a Kansas not-for-profit organization that:~~

~~(i) Does business primarily in Kansas or substantially all of its production in Kansas;~~

~~(ii) within such division, employs in an integrated setting at least 30% of its employees who are individuals with disabilities and reside in Kansas;~~

~~(iii) within such division, offers to contribute at least 75% of the premium cost for individual health insurance coverage for each eligible employee or offers a qualified company-sponsored insurance plan under the affordable care act or pays the required subsidy to the internal revenue service for employees who purchase insurance through the open market, if a company-sponsored plan is not offered. If any such company is not covered under the affordable care act and does not offer a company-sponsored insurance plan, such company must offer assistance to the employee to cover at least 75% of their health insurance costs through a health savings account or other legal and appropriate methodology; and~~

~~(iv) does not employ individuals under a certificate issued by the United States secretary of labor under 29 U.S.C. § 214(c) and the Kansas not-for-profit organization,~~

including any other division within the Kansas not-for-profit organization, does not employ individuals under such a certificate.

(2) "individuals with disabilities" or "individual with a disability" means any individual who:

(A) Is certified by the Kansas department for aging and disability services or by the Kansas department for children and families, which administers the rehabilitation services program or by a healthcare provider determined by the secretary of revenue, that shall include, but is not limited to, medical doctors, doctors of osteopathy, physician assistants, nurse practitioners, physical therapists, occupational therapists and optometrists who can substantiate an individual as having a physical or mental impairment that constitutes a substantial barrier to employment; and

(B) ~~works a minimum number of hours per week for a certified business necessary to qualify for health insurance coverage offered pursuant to subsection (d)(1); and~~

~~(C)~~ (i) is receiving services, has received services or is eligible to receive services under a home and community based services program, as defined by K.S.A. 39-7,100, and amendments thereto;

(ii) is employed by a charitable organization domiciled in the state of Kansas and exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, as amended; or

(iii) is an individual with a disability pursuant to the disability standards established by the social security administration as determined by the Kansas disability determination services under the Kansas department for children and families; ~~and~~

(3) ~~"qualified vendor" means an entity that:~~

~~(A) Is a "qualified vendor" pursuant to K.S.A. 75-3317, and amendments thereto; or is a "certified business" that is also a nonprofit organization pursuant to K.S.A. 75-3740, and amendments thereto;~~

~~(B) pays minimum wage or above to all their employees in a manner that meets the definition of "competitive employment" pursuant to K.S.A. 44-1136, and amendments thereto;~~

~~(C) meets the definition of employing all of their workers in an "integrated setting" pursuant to K.S.A. 44-1136, and amendments thereto; and~~

~~(D) offers a qualified company-sponsored insurance plan under the affordable care act or pays the required subsidy to the internal revenue service for employees who purchase insurance through the open market, if a company-sponsored plan is not offered. If any such company is not covered under the affordable care act, and does not offer a company-sponsored insurance plan, such company must offer assistance to the employee to cover at least 75% of their health insurance costs through a health savings account or other legal and appropriate methodology.~~

~~(e)(f)~~ The secretary of revenue shall report to the house committee on taxation and the senate committee on assessment and taxation on or before February 1, 2021, 2022, and 2023, concerning the implementation and effectiveness of the credit provided in this section.

Sec. 18. K.S.A. 2022 Supp. 79-32,287 is hereby amended to read as follows: 79-32,287. (a) With respect to any taxable period for which it has made the election under K.S.A. 2022 Supp. 79-32,286, and amendments thereto, an electing pass-through entity shall be subject to a tax in an amount equal to 5.7% of the sum of: (1) Each ~~resident nonresident~~ electing pass-through entity owner's pro rata or distributive share of the

~~electing pass-through entity's income and each nonresident electing pass-through entity owner's distributive share of income attributable allocated and apportioned to the this state, all as; and (2) each resident electing pass-through entity owner's pro rata or distributive share of the electing pass-through entity's income calculated either before allocation and apportionment or after allocation and apportionment to this state. The electing pass-through entity must use the same method of calculation for all resident electing pass-through entity owners. The provisions of paragraphs (1) and (2) shall be determined pursuant to K.S.A. 79-32,130, 79-32,131, 79-32,133 and 79-32,139, and amendments thereto.~~

(b) An electing pass-through entity shall be treated as a corporation under K.S.A. 79-32,101, and amendments thereto, with respect to the tax imposed under this act, except that K.S.A. 79-32,107, and amendments thereto, shall not apply during the first taxable period for which this act is applicable.

~~(c) Any credit allowed pursuant to article 32 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, except K.S.A. 79-32,111(a), and amendments thereto, that is attributable to the activities of an electing pass-through entity in the taxable year shall be passed through to and claimed by the entity and not passed through to or claimed by the electing pass-through entity owner only for taxable periods when the election is allowed and made by an electing pass-through entity under K.S.A. 2022 Supp. 79-32,286, and amendments thereto. Notwithstanding any provision to the contrary in article 32 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, any excess income tax credit, net operating loss or other modification may be carried forward on the electing pass-through entity's return but may only be utilized in a year in which the electing pass-through entity has made the election allowed in K.S.A. 2022 Supp. 79-32,286, and amendments thereto, except that any limitation specified in the specific section for an income tax credit, the net operating loss or any other modification shall apply to the electing pass-through entity. If in a taxable period subsequent to a period in which an election under K.S.A. 2022 Supp. 79-32,286, and amendments thereto, was made, an election under K.S.A. 2022 Supp. 79-32,286, and amendments thereto, is not allowed or not made by an electing pass-through entity, any excess income tax credits may be transferred to the electing pass-through entity owners. Any excess income tax credits shall be available to each electing pass-through owner in the same proportion and manner as would have applied without the election under K.S.A. 2022 Supp. 79-32,286, and amendments thereto, for the taxable period in which each respective income tax credit was generated. All other rights and obligations pertaining to the excess income tax credits shall be transferred to the electing pass-through entity owners.~~

(d) The provisions of article 32 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, regarding the collection, administration and enforcement of tax shall be applicable to the tax due under this section, and notwithstanding the provisions of K.S.A. 79-32,129 and 79-32,139, and amendments thereto, an electing pass-through entity shall be a taxpayer.

(e) The provisions of this section shall apply to taxable years commencing on or after January 1, 2022.

Sec. 19. On and after January 1, 2024, K.S.A. 2022 Supp. 79-3602c is hereby amended to read as follows: 79-3602c. Except as otherwise provided, as used in the Kansas retailers' sales tax act:

(a) "Agent" means a person appointed by a seller to represent the seller before the member states.

(b) "Agreement" means the multistate agreement entitled the streamlined sales and use tax agreement approved by the streamlined sales tax implementing states at Chicago, Illinois on November 12, 2002.

(c) "Alcoholic beverages" means beverages that are suitable for human consumption and contain 0.05% or more of alcohol by volume.

(d) "Certified automated system (CAS)" means software certified under the agreement to calculate the tax imposed by each jurisdiction on a transaction, determine the amount of tax to remit to the appropriate state and maintain a record of the transaction.

(e) "Certified service provider (CSP)" means an agent certified under the agreement to perform all the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases.

(f) "Computer" means an electronic device that accepts information in digital or similar form and manipulates it for a result based on a sequence of instructions.

(g) "Computer software" means a set of coded instructions designed to cause a computer or automatic data processing equipment to perform a task.

(h) "Delivered electronically" means delivered to the purchaser by means other than tangible storage media.

(i) "Delivery charges" means charges by the seller of personal property or services for preparation and delivery to a location designated by the purchaser of personal property or services including, but not limited to, transportation, shipping, postage, handling, crating and packing. Delivery charges shall not include charges for delivery of direct mail if the charges are separately stated on an invoice or similar billing document given to the purchaser.

(j) "Direct mail" means printed material delivered or distributed by United States mail or other delivery services to a mass audience or to addressees on a mailing list provided by the purchaser or at the direction of the purchaser when the cost of the items are not billed directly to the recipients. Direct mail includes tangible personal property supplied directly or indirectly by the purchaser to the direct mail seller for inclusion in the package containing the printed material. Direct mail does not include multiple items of printed material delivered to a single address.

(k) "Director" means the state director of taxation.

(l) "Educational institution" means any nonprofit school, college and university that offers education at a level above the 12th grade, and conducts regular classes and courses of study required for accreditation by, or membership in, the higher learning commission, the state board of education, or that otherwise qualify as an "educational institution," as defined by K.S.A. 74-50,103, and amendments thereto. Such phrase shall include: (1) A group of educational institutions that operates exclusively for an educational purpose; (2) nonprofit endowment associations and foundations organized and operated exclusively to receive, hold, invest and administer moneys and property as a permanent fund for the support and sole benefit of an educational institution; (3) nonprofit trusts, foundations and other entities organized and operated principally to hold and own receipts from intercollegiate sporting events and to disburse such receipts, as well as grants and gifts, in the interest of collegiate and intercollegiate athletic programs for the support and sole benefit of an educational institution; and (4) nonprofit

trusts, foundations and other entities organized and operated for the primary purpose of encouraging, fostering and conducting scholarly investigations and industrial and other types of research for the support and sole benefit of an educational institution.

(m) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities.

(n) "Food and food ingredients" means substances, whether in liquid, concentrated, solid, frozen, dried or dehydrated form, that are sold for ingestion or chewing by humans and are consumed for their taste or nutritional value. "Food and food ingredients" includes bottled water, candy, dietary supplements, food sold through vending machines and soft drinks. "Food and food ingredients" does not include alcoholic beverages or tobacco.

(o) "Gross receipts" means the total selling price or the amount received as defined in this act, in money, credits, property or other consideration valued in money from sales at retail within this state; and embraced within the provisions of this act. The taxpayer, may take credit in the report of gross receipts for: (1) An amount equal to the selling price of property returned by the purchaser when the full sale price thereof, including the tax collected, is refunded in cash or by credit; and (2) an amount equal to the allowance given for the trade-in of property.

(p) "Ingredient or component part" means tangible personal property that is necessary or essential to, and that is actually used in and becomes an integral and material part of tangible personal property or services produced, manufactured or compounded for sale by the producer, manufacturer or compounder in its regular course of business. The following items of tangible personal property are hereby declared to be ingredients or component parts, but the listing of such property shall not be deemed to be exclusive nor shall such listing be construed to be a restriction upon, or an indication of, the type or types of property to be included within the definition of "ingredient or component part" as herein set forth:

(1) Containers, labels and shipping cases used in the distribution of property produced, manufactured or compounded for sale that are not to be returned to the producer, manufacturer or compounder for reuse.

(2) Containers, labels, shipping cases, paper bags, drinking straws, paper plates, paper cups, twine and wrapping paper used in the distribution and sale of property taxable under the provisions of this act by wholesalers and retailers and that is not to be returned to such wholesaler or retailer for reuse.

(3) Seeds and seedlings for the production of plants and plant products produced for resale.

(4) Paper and ink used in the publication of newspapers.

(5) Fertilizer used in the production of plants and plant products produced for resale.

(6) Feed for animals, fowl and aquatic plants and animals, the primary purpose of which is use in agriculture or aquaculture, as defined in K.S.A. 47-1901, and amendments thereto, the production of food for human consumption, the production of animal, dairy, poultry or aquatic plant and animal products, fiber, fur, or the production of offspring for use for any such purpose or purposes.

(q) "Isolated or occasional sale" means the nonrecurring sale of tangible personal property, or services taxable hereunder by a person not engaged at the time of such sale in the business of selling such property or services. Any religious organization that

makes a nonrecurring sale of tangible personal property acquired for the purpose of resale shall be deemed to be not engaged at the time of such sale in the business of selling such property. Such term shall include:

(1) Any sale by a bank, savings and loan institution, credit union or any finance company licensed under the provisions of the Kansas uniform consumer credit code of tangible personal property that has been repossessed by any such entity; and

(2) any sale of tangible personal property made by an auctioneer or agent on behalf of not more than two principals or households if such sale is nonrecurring and any such principal or household is not engaged at the time of such sale in the business of selling tangible personal property.

(r) "Lease or rental" means any transfer of possession or control of tangible personal property for a fixed or indeterminate term for consideration. A lease or rental may include future options to purchase or extend.

(1) Lease or rental does not include:

(A) A transfer of possession or control of property under a security agreement or deferred payment plan that requires the transfer of title upon completion of the required payments;

(B) a transfer of possession or control of property under an agreement that requires the transfer of title upon completion of required payments and payment of an option price does not exceed the greater of \$100 or 1% of the total required payments; or

(C) providing tangible personal property along with an operator for a fixed or indeterminate period of time. A condition of this exclusion is that the operator is necessary for the equipment to perform as designed. For the purpose of this subsection, an operator must do more than maintain, inspect or set-up the tangible personal property.

(2) Lease or rental does include agreements covering motor vehicles and trailers where the amount of consideration may be increased or decreased by reference to the amount realized upon sale or disposition of the property as defined in 26 U.S.C. § 7701(h)(1).

(3) This definition shall be used for sales and use tax purposes regardless if a transaction is characterized as a lease or rental under generally accepted accounting principles, the internal revenue code, the uniform commercial code, K.S.A. 84-1-101 et seq., and amendments thereto, or other provisions of federal, state or local law.

(4) This definition will be applied only prospectively from the effective date of this act and will have no retroactive impact on existing leases or rentals.

(s) "Load and leave" means delivery to the purchaser by use of a tangible storage media where the tangible storage media is not physically transferred to the purchaser.

(t) "Member state" means a state that has entered in the agreement, pursuant to provisions of article VIII of the agreement.

(u) "Model 1 seller" means a seller that has selected a CSP as its agent to perform all the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases.

(v) "Model 2 seller" means a seller that has selected a CAS to perform part of its sales and use tax functions, but retains responsibility for remitting the tax.

(w) "Model 3 seller" means a seller that has sales in at least five member states, has total annual sales revenue of at least \$500,000,000, has a proprietary system that calculates the amount of tax due each jurisdiction and has entered into a performance

agreement with the member states that establishes a tax performance standard for the seller. As used in this subsection a seller includes an affiliated group of sellers using the same proprietary system.

(x) "Municipal corporation" means any city incorporated under the laws of Kansas.

(y) "Nonprofit blood bank" means any nonprofit place, organization, institution or establishment that is operated wholly or in part for the purpose of obtaining, storing, processing, preparing for transfusing, furnishing, donating or distributing human blood or parts or fractions of single blood units or products derived from single blood units, whether or not any remuneration is paid therefor, or whether such procedures are done for direct therapeutic use or for storage for future use of such products.

(z) "Persons" means any individual, firm, copartnership, joint adventure, association, corporation, estate or trust, receiver or trustee, or any group or combination acting as a unit, and the plural as well as the singular number; and shall specifically mean any city or other political subdivision of the state of Kansas engaging in a business or providing a service specifically taxable under the provisions of this act.

(aa) "Political subdivision" means any municipality, agency or subdivision of the state that is, or shall hereafter be, authorized to levy taxes upon tangible property within the state or that certifies a levy to a municipality, agency or subdivision of the state that is, or shall hereafter be, authorized to levy taxes upon tangible property within the state. Such term also shall include any public building commission, housing, airport, port, metropolitan transit or similar authority established pursuant to law and the horsethief reservoir benefit district established pursuant to K.S.A. 82a-2201, and amendments thereto.

(bb) "Prescription" means an order, formula or recipe issued in any form of oral, written, electronic or other means of transmission by a duly licensed practitioner authorized by the laws of this state.

(cc) "Prewritten computer software" means computer software, including prewritten upgrades, that is not designed and developed by the author or other creator to the specifications of a specific purchaser. The combining of two or more prewritten computer software programs or prewritten portions thereof does not cause the combination to be other than prewritten computer software. Prewritten computer software includes software designed and developed by the author or other creator to the specifications of a specific purchaser when it is sold to a person other than the purchaser. Where a person modifies or enhances computer software of which the person is not the author or creator, the person shall be deemed to be the author or creator only of such person's modifications or enhancements. Prewritten computer software or a prewritten portion thereof that is modified or enhanced to any degree, where such modification or enhancement is designed and developed to the specifications of a specific purchaser, remains prewritten computer software, except that where there is a reasonable, separately stated charge or an invoice or other statement of the price given to the purchaser for such modification or enhancement, such modification or enhancement shall not constitute prewritten computer software.

(dd) "Property which is consumed" means tangible personal property that is essential or necessary to and that is used in the actual process of and consumed, depleted or dissipated within one year in:

(1) The production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property;

(2) the providing of services;
(3) the irrigation of crops, for sale in the regular course of business; or
(4) the storage or processing of grain by a public grain warehouse or other grain storage facility, and which is not reusable for such purpose. The following is a listing of tangible personal property, included by way of illustration but not of limitation, that qualifies as property that is consumed:

(A) Insecticides, herbicides, germicides, pesticides, fungicides, fumigants, antibiotics, biologicals, pharmaceuticals, vitamins and chemicals for use in commercial or agricultural production, processing or storage of fruit, vegetables, feeds, seeds, grains, animals or animal products whether fed, injected, applied, combined with or otherwise used;

(B) electricity, gas and water; and

(C) petroleum products, lubricants, chemicals, solvents, reagents and catalysts.

(ee) "Purchase price" applies to the measure subject to use tax and has the same meaning as sales price.

(ff) "Purchaser" means a person to whom a sale of personal property is made or to whom a service is furnished.

(gg) "Quasi-municipal corporation" means any county, township, school district, drainage district or any other governmental subdivision in the state of Kansas having authority to receive or hold moneys or funds.

(hh) "Registered under this agreement" means registration by a seller with the member states under the central registration system provided in article IV of the agreement.

(ii) "Retailer" means a seller regularly engaged in the business of selling, leasing or renting tangible personal property at retail or furnishing electrical energy, gas, water, services or entertainment, and selling only to the user or consumer and not for resale.

(jj) "Retail sale" or "sale at retail" means any sale, lease or rental for any purpose other than for resale, sublease or subrent.

(kk) "Sale" or "sales" means the exchange of tangible personal property, as well as the sale thereof for money, and every transaction, conditional or otherwise, for a consideration, constituting a sale, including the sale or furnishing of electrical energy, gas, water, services or entertainment taxable under the terms of this act and including, except as provided in the following provision, the sale of the use of tangible personal property by way of a lease, license to use or the rental thereof regardless of the method by which the title, possession or right to use the tangible personal property is transferred. The term "sale" or "sales" shall not mean the sale of the use of any tangible personal property used as a dwelling by way of a lease or rental thereof for a term of more than 28 consecutive days.

(ll) (1) "Sales or selling price" applies to the measure subject to sales tax and means the total amount of consideration, including cash, credit, property and services, for which personal property or services are sold, leased or rented, valued in money, whether received in money or otherwise, without any deduction for the following:

(A) The seller's cost of the property sold;

(B) the cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller and any other expense of the seller;

(C) charges by the seller for any services necessary to complete the sale, other than

delivery and installation charges;

- (D) delivery charges; and
- (E) installation charges.

(2) "Sales or selling price" includes consideration received by the seller from third parties if:

(A) The seller actually receives consideration from a party other than the purchaser and the consideration is directly related to a price reduction or discount on the sale;

(B) the seller has an obligation to pass the price reduction or discount through to the purchaser;

(C) the amount of the consideration attributable to the sale is fixed and determinable by the seller at the time of the sale of the item to the purchaser; and

(D) one of the following criteria is met:

(i) The purchaser presents a coupon, certificate or other documentation to the seller to claim a price reduction or discount where the coupon, certificate or documentation is authorized, distributed or granted by a third party with the understanding that the third party will reimburse any seller to whom the coupon, certificate or documentation is presented;

(ii) the purchaser identifies to the seller that the purchaser is a member of a group or organization entitled to a price reduction or discount. A preferred customer card that is available to any patron does not constitute membership in such a group; or

(iii) the price reduction or discount is identified as a third party price reduction or discount on the invoice received by the purchaser or on a coupon, certificate or other documentation presented by the purchaser.

(3) "Sales or selling price" shall not include:

(A) Discounts, including cash, term or coupons that are not reimbursed by a third party that are allowed by a seller and taken by a purchaser on a sale;

(B) interest, financing and carrying charges from credit extended on the sale of personal property or services, if the amount is separately stated on the invoice, bill of sale or similar document given to the purchaser;

(C) any taxes legally imposed directly on the consumer that are separately stated on the invoice, bill of sale or similar document given to the purchaser;

(D) the amount equal to the allowance given for the trade-in of property, if separately stated on the invoice, billing or similar document given to the purchaser; ~~and~~

(E) commencing on July 1, 2018, and ending on June 30, 2024, cash rebates granted by a manufacturer to a purchaser or lessee of a new motor vehicle if paid directly to the retailer as a result of the original sale; ~~and~~

(F) notwithstanding the provisions of paragraph (2), coupons issued by a manufacturer, supplier or distributor of a product that entitle the purchaser to a reduction in sales price and allowed by the seller who is reimbursed by the manufacturer, supplier or distributor. When the seller accepts such coupons, only the amount paid by the purchaser is included in the sales price.

(mm) "Seller" means a person making sales, leases or rentals of personal property or services.

(nn) "Service" means those services described in and taxed under the provisions of K.S.A. 79-3603, and amendments thereto.

(oo) "Sourcing rules" means the rules set forth in K.S.A. 79-3670 through 79-3673, 12-191 and 12-191a, and amendments thereto, that shall apply to identify and determine

the state and local taxing jurisdiction sales or use taxes to pay, or collect and remit on a particular retail sale.

(pp) "Tangible personal property" means personal property that can be seen, weighed, measured, felt or touched, or that is in any other manner perceptible to the senses. Tangible personal property includes electricity, water, gas, steam and prewritten computer software.

(qq) "Taxpayer" means any person obligated to account to the director for taxes collected under the terms of this act.

(rr) "Tobacco" means cigarettes, cigars, chewing or pipe tobacco or any other item that contains tobacco.

(ss) "Entity-based exemption" means an exemption based on who purchases the product or who sells the product. An exemption that is available to all individuals shall not be considered an entity-based exemption.

(tt) "Over-the-counter drug" means a drug that contains a label that identifies the product as a drug as required by 21 C.F.R. § 201.66. The over-the-counter drug label includes:

(1) A drug facts panel; or

(2) a statement of the active ingredients with a list of those ingredients contained in the compound, substance or preparation. Over-the-counter drugs do not include grooming and hygiene products such as soaps, cleaning solutions, shampoo, toothpaste, antiperspirants and sun tan lotions and screens.

(uu) "Ancillary services" means services that are associated with or incidental to the provision of telecommunications services, including, but not limited to, detailed telecommunications billing, directory assistance, vertical service and voice mail services.

(vv) "Conference bridging service" means an ancillary service that links two or more participants of an audio or video conference call and may include the provision of a telephone number. Conference bridging service does not include the telecommunications services used to reach the conference bridge.

(ww) "Detailed telecommunications billing service" means an ancillary service of separately stating information pertaining to individual calls on a customer's billing statement.

(xx) "Directory assistance" means an ancillary service of providing telephone number information or address information, or both.

(yy) "Vertical service" means an ancillary service that is offered in connection with one or more telecommunications services, that offers advanced calling features that allow customers to identify callers and to manage multiple calls and call connections, including conference bridging services.

(zz) "Voice mail service" means an ancillary service that enables the customer to store, send or receive recorded messages. Voice mail service does not include any vertical services that the customer may be required to have in order to utilize the voice mail service.

(aaa) "Telecommunications service" means the electronic transmission, conveyance or routing of voice, data, audio, video or any other information or signals to a point, or between or among points. The term telecommunications service includes such transmission, conveyance or routing in which computer processing applications are used to act on the form, code or protocol of the content for purposes of transmissions,

conveyance or routing without regard to whether such service is referred to as voice over internet protocol services or is classified by the federal communications commission as enhanced or value added. Telecommunications service does not include:

(1) Data processing and information services that allow data to be generated, acquired, stored, processed or retrieved and delivered by an electronic transmission to a purchaser where such purchaser's primary purpose for the underlying transaction is the processed data or information;

(2) installation or maintenance of wiring or equipment on a customer's premises;

(3) tangible personal property;

(4) advertising, including, but not limited to, directory advertising;

(5) billing and collection services provided to third parties;

(6) internet access service;

(7) radio and television audio and video programming services, regardless of the medium, including the furnishing of transmission, conveyance and routing of such services by the programming service provider. Radio and television audio and video programming services shall include, but not be limited to, cable service as defined in 47 U.S.C. § 522(6) and audio and video programming services delivered by commercial mobile radio service providers, as defined in 47 C.F.R. § 20.3;

(8) ancillary services; or

(9) digital products delivered electronically, including, but not limited to, software, music, video, reading materials or ring tones.

(bbb) "800 service" means a telecommunications service that allows a caller to dial a toll-free number without incurring a charge for the call. The service is typically marketed under the name 800, 855, 866, 877 and 888 toll-free calling, and any subsequent numbers designated by the federal communications commission.

(ccc) "900 service" means an inbound toll telecommunications service purchased by a subscriber that allows the subscriber's customers to call in to the subscriber's prerecorded announcement or live service. 900 service does not include the charge for collection services provided by the seller of the telecommunications services to the subscriber, or service or product sold by the subscriber to the subscriber's customer. The service is typically marketed under the name 900 service, and any subsequent numbers designated by the federal communications commission.

(ddd) "Value-added non-voice data service" means a service that otherwise meets the definition of telecommunications services in which computer processing applications are used to act on the form, content, code or protocol of the information or data primarily for a purpose other than transmission, conveyance or routing.

(eee) "International" means a telecommunications service that originates or terminates in the United States and terminates or originates outside the United States, respectively. United States includes the District of Columbia or a U.S. territory or possession.

(fff) "Interstate" means a telecommunications service that originates in one United States state, or a United States territory or possession, and terminates in a different United States state or a United States territory or possession.

(ggg) "Intrastate" means a telecommunications service that originates in one United States state or a United States territory or possession, and terminates in the same United States state or a United States territory or possession.

(hhh) "Cereal malt beverage" shall have the same meaning as such term is defined

in K.S.A. 41-2701, and amendments thereto, except that for the purposes of the Kansas retailers sales tax act and for no other purpose, such term shall include beer containing not more than 6% alcohol by volume when such beer is sold by a retailer licensed under the Kansas cereal malt beverage act.

(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.

(jjj) (1) "Bottled water" means water that is placed in a safety sealed container or package for human consumption. "Bottled water" is calorie free and does not contain sweeteners or other additives, except that it may contain:

(A) Antimicrobial agents;

(B) fluoride;

(C) carbonation;

(D) vitamins, minerals and electrolytes;

(E) oxygen;

(F) preservatives; or

(G) only those flavors, extracts or essences derived from a spice or fruit.

(2) "Bottled water" includes water that is delivered to the buyer in a reusable container that is not sold with the water.

(lll) (1) "Candy" means a preparation of sugar, honey or other natural or artificial sweeteners in combination with chocolate, fruits, nuts or other ingredients or flavorings in the form of bars, drops or pieces.

(2) "Candy" does not include any preparation containing flour and shall require no refrigeration.

(mmm) "Dietary supplement" means the same as defined in K.S.A. 79-3606(jjj), and amendments thereto.

(nnn) "Food sold through vending machines" means food dispensed from a machine or other mechanical device that accepts payment.

(ooo) (1) "Prepared food" means:

(A) Food sold in a heated state or heated by the seller;

(B) two or more food ingredients mixed or combined by the seller for sale as a single item; or

(C) food sold with eating utensils provided by the seller, including, but not limited to, plates, knives, forks, spoons, glasses, cups, napkins or straws. A plate does not include a container or packaging used to transport the food.

(2) "Prepared food" does not include:

(A) Food that is only cut, repackaged or pasteurized by the seller; or

(B) eggs, fish, meat, poultry or foods containing these raw animal foods that require cooking by the consumer as recommended by the food and drug administration in chapter 3, part 401.11 of the food and drug administration food code so as to prevent

~~food borne~~ foodborne illnesses.

(ppp) (1) "Soft drinks" means nonalcoholic beverages that contain natural or artificial sweeteners.

(2) "Soft drinks" does not include beverages that contain milk or milk products, soy, rice or similar milk substitutes or beverages that are greater than 50% vegetable or fruit juice by volume.

Sec. 20. K.S.A. 2022 Supp. 79-3606 is hereby amended to read as follows: 79-3606. The following shall be exempt from the tax imposed by this act:

(a) All sales of motor-vehicle fuel or other articles upon which a sales or excise tax has been paid, not subject to refund, under the laws of this state except cigarettes and electronic cigarettes as defined by K.S.A. 79-3301, and amendments thereto, including consumable material for such electronic cigarettes, cereal malt beverages and malt products as defined by K.S.A. 79-3817, and amendments thereto, including wort, liquid malt, malt syrup and malt extract, that is not subject to taxation under the provisions of K.S.A. 79-41a02, and amendments thereto, motor vehicles taxed pursuant to K.S.A. 79-5117, and amendments thereto, tires taxed pursuant to K.S.A. 65-3424d, and amendments thereto, drycleaning and laundry services taxed pursuant to K.S.A. 65-34,150, and amendments thereto, and gross receipts from regulated sports contests taxed pursuant to the Kansas professional regulated sports act, and amendments thereto;

(b) all sales of tangible personal property or service, including the renting and leasing of tangible personal property, purchased directly by the state of Kansas, a political subdivision thereof, other than a school or educational institution, or purchased by a public or private nonprofit hospital, public hospital authority, nonprofit blood, tissue or organ bank or nonprofit integrated community care organization and used exclusively for state, political subdivision, hospital, public hospital authority, nonprofit blood, tissue or organ bank or nonprofit integrated community care organization purposes, except when: (1) Such state, hospital or public hospital authority is engaged or proposes to engage in any business specifically taxable under the provisions of this act and such items of tangible personal property or service are used or proposed to be used in such business; or (2) such political subdivision is engaged or proposes to engage in the business of furnishing gas, electricity or heat to others and such items of personal property or service are used or proposed to be used in such business;

(c) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly by a public or private elementary or secondary school or public or private nonprofit educational institution and used primarily by such school or institution for nonsectarian programs and activities provided or sponsored by such school or institution or in the erection, repair or enlargement of buildings to be used for such purposes. The exemption herein provided shall not apply to erection, construction, repair, enlargement or equipment of buildings used primarily for human habitation, except that such exemption shall apply to the erection, construction, repair, enlargement or equipment of buildings used for human habitation by the cerebral palsy research foundation of Kansas located in Wichita, Kansas, and multi community diversified services, incorporated, located in McPherson, Kansas;

(d) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any public or private nonprofit hospital

or public hospital authority, public or private elementary or secondary school, a public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership, that would be exempt from taxation under the provisions of this act if purchased directly by such hospital or public hospital authority, school, educational institution or a state correctional institution; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or district described in subsection (s), the total cost of which is paid from funds of such political subdivision or district and that would be exempt from taxation under the provisions of this act if purchased directly by such political subdivision or district. Nothing in this subsection or in the provisions of K.S.A. 12-3418, and amendments thereto, shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any political subdivision of the state or any such district. As used in this subsection, K.S.A. 12-3418 and 79-3640, and amendments thereto, "funds of a political subdivision" shall mean general tax revenues, the proceeds of any bonds and gifts or grants-in-aid. Gifts shall not mean funds used for the purpose of constructing, equipping, reconstructing, repairing, enlarging, furnishing or remodeling facilities that are to be leased to the donor. When any political subdivision of the state, district described in subsection (s), public or private nonprofit hospital or public hospital authority, public or private elementary or secondary school, public or private nonprofit educational institution, state correctional institution including a privately constructed correctional institution contracted for state use and ownership shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or department of corrections concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such

certificate was issued, the political subdivision, district described in subsection (s), hospital or public hospital authority, school, educational institution or the contractor contracting with the department of corrections for a correctional institution concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(e) all sales of tangible personal property or services purchased by a contractor for the erection, repair or enlargement of buildings or other projects for the government of the United States, its agencies or instrumentalities, that would be exempt from taxation if purchased directly by the government of the United States, its agencies or instrumentalities. When the government of the United States, its agencies or instrumentalities shall contract for the erection, repair, or enlargement of any building or other project, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the government of the United States, its agencies or instrumentalities concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. As an alternative to the foregoing procedure, any such contracting entity may apply to the secretary of revenue for agent status for the sole purpose of issuing and furnishing project exemption certificates to contractors pursuant to rules and regulations adopted by the secretary establishing conditions and standards for the granting and maintaining of such status. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(f) tangible personal property purchased by a railroad or public utility for consumption or movement directly and immediately in interstate commerce;

(g) sales of aircraft including remanufactured and modified aircraft sold to persons using directly or through an authorized agent such aircraft as certified or licensed carriers of persons or property in interstate or foreign commerce under authority of the laws of the United States or any foreign government or sold to any foreign government or agency or instrumentality of such foreign government and all sales of aircraft for use outside of the United States and sales of aircraft repair, modification and replacement parts and sales of services employed in the remanufacture, modification and repair of aircraft;

(h) all rentals of nonsectarian textbooks by public or private elementary or secondary schools;

(i) the lease or rental of all films, records, tapes, or any type of sound or picture transcriptions used by motion picture exhibitors;

(j) meals served without charge or food used in the preparation of such meals to employees of any restaurant, eating house, dining car, hotel, drugstore or other place where meals or drinks are regularly sold to the public if such employees' duties are related to the furnishing or sale of such meals or drinks;

(k) any motor vehicle, semitrailer or pole trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto, or aircraft sold and delivered in this state to a bona fide resident of another state, which motor vehicle, semitrailer, pole trailer or aircraft is not to be registered or based in this state and which vehicle, semitrailer, pole trailer or aircraft will not remain in this state more than 10 days;

(l) all isolated or occasional sales of tangible personal property, services, substances or things, except isolated or occasional sale of motor vehicles specifically taxed under the provisions of K.S.A. 79-3603(o), and amendments thereto;

(m) all sales of tangible personal property that become an ingredient or component part of tangible personal property or services produced, manufactured or compounded for ultimate sale at retail within or without the state of Kansas; and any such producer, manufacturer or compounder may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for use as an ingredient or component part of the property or services produced, manufactured or compounded;

(n) all sales of tangible personal property that is consumed in the production, manufacture, processing, mining, drilling, refining or compounding of tangible personal property, the treating of by-products or wastes derived from any such production process, the providing of services or the irrigation of crops for ultimate sale at retail within or without the state of Kansas; and any purchaser of such property may obtain from the director of taxation and furnish to the supplier an exemption certificate number for tangible personal property for consumption in such production, manufacture, processing, mining, drilling, refining, compounding, treating, irrigation and in providing such services;

(o) all sales of animals, fowl and aquatic plants and animals, the primary purpose of which is use in agriculture or aquaculture, as defined in K.S.A. 47-1901, and amendments thereto, the production of food for human consumption, the production of animal, dairy, poultry or aquatic plant and animal products, fiber or fur, or the production of offspring for use for any such purpose or purposes;

(p) all sales of drugs dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "drug" means a compound, substance or preparation and any component of a compound, substance or preparation, other than food and food ingredients, dietary supplements or alcoholic beverages, recognized in the official United States pharmacopeia, official homeopathic pharmacopeia of the United States or official national formulary, and supplement to any of them, intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease or intended to affect the structure or any function of the body, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of drugs used in the

performance or induction of an abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(q) all sales of insulin dispensed by a person licensed by the state board of pharmacy to a person for treatment of diabetes at the direction of a person licensed to practice medicine by the state board of healing arts;

(r) all sales of oxygen delivery equipment, kidney dialysis equipment, enteral feeding systems, prosthetic devices and mobility enhancing equipment prescribed in writing by a person licensed to practice the healing arts, dentistry or optometry, and in addition to such sales, all sales of hearing aids, as defined by K.S.A. 74-5807(c), and amendments thereto, and repair and replacement parts therefor, including batteries, by a person licensed in the practice of dispensing and fitting hearing aids pursuant to the provisions of K.S.A. 74-5808, and amendments thereto. For the purposes of this subsection: (1) "Mobility enhancing equipment" means equipment including repair and replacement parts to same, but does not include durable medical equipment, which is primarily and customarily used to provide or increase the ability to move from one place to another and which is appropriate for use either in a home or a motor vehicle; is not generally used by persons with normal mobility; and does not include any motor vehicle or equipment on a motor vehicle normally provided by a motor vehicle manufacturer; and (2) "prosthetic device" means a replacement, corrective or supportive device including repair and replacement parts for same worn on or in the body to artificially replace a missing portion of the body, prevent or correct physical deformity or malfunction or support a weak or deformed portion of the body;

(s) except as provided in K.S.A. 82a-2101, and amendments thereto, all sales of tangible personal property or services purchased directly or indirectly by a groundwater management district organized or operating under the authority of K.S.A. 82a-1020 et seq., and amendments thereto, by a rural water district organized or operating under the authority of K.S.A. 82a-612, and amendments thereto, or by a water supply district organized or operating under the authority of K.S.A. 19-3501 et seq., 19-3522 et seq. or 19-3545, and amendments thereto, which property or services are used in the construction activities, operation or maintenance of the district;

(t) all sales of farm machinery and equipment or aquaculture machinery and equipment, repair and replacement parts therefor and services performed in the repair and maintenance of such machinery and equipment. For the purposes of this subsection the term "farm machinery and equipment or aquaculture machinery and equipment" shall include a work-site utility vehicle, as defined in K.S.A. 8-126, and amendments thereto, and is equipped with a bed or cargo box for hauling materials, and shall also include machinery and equipment used in the operation of Christmas tree farming but shall not include any passenger vehicle, truck, truck tractor, trailer, semitrailer or pole trailer, other than a farm trailer, as such terms are defined by K.S.A. 8-126, and amendments thereto. "Farm machinery and equipment" includes precision farming equipment that is portable or is installed or purchased to be installed on farm machinery and equipment. "Precision farming equipment" includes the following items used only in computer-assisted farming, ranching or aquaculture production operations: Soil testing sensors, yield monitors, computers, monitors, software, global positioning and mapping systems, guiding systems, modems, data communications equipment and any necessary mounting hardware, wiring and antennas. Each purchaser of farm machinery and equipment or aquaculture machinery and equipment exempted herein must certify

in writing on the copy of the invoice or sales ticket to be retained by the seller that the farm machinery and equipment or aquaculture machinery and equipment purchased will be used only in farming, ranching or aquaculture production. Farming or ranching shall include the operation of a feedlot and farm and ranch work for hire and the operation of a nursery;

(u) all leases or rentals of tangible personal property used as a dwelling if such tangible personal property is leased or rented for a period of more than 28 consecutive days;

(v) all sales of tangible personal property to any contractor for use in preparing meals for delivery to homebound elderly persons over 60 years of age and to homebound disabled persons or to be served at a group-sitting at a location outside of the home to otherwise homebound elderly persons over 60 years of age and to otherwise homebound disabled persons, as all or part of any food service project funded in whole or in part by government or as part of a private nonprofit food service project available to all such elderly or disabled persons residing within an area of service designated by the private nonprofit organization, and all sales of tangible personal property for use in preparing meals for consumption by indigent or homeless individuals whether or not such meals are consumed at a place designated for such purpose, and all sales of food products by or on behalf of any such contractor or organization for any such purpose;

(w) all sales of natural gas, electricity, heat and water delivered through mains, lines or pipes: (1) To residential premises for noncommercial use by the occupant of such premises; (2) for agricultural use and also, for such use, all sales of propane gas; (3) for use in the severing of oil; and (4) to any property which is exempt from property taxation pursuant to K.S.A. 79-201b, Second through Sixth. As used in this paragraph, "severing" means the same as defined in K.S.A. 79-4216(k), and amendments thereto. For all sales of natural gas, electricity and heat delivered through mains, lines or pipes pursuant to the provisions of subsection (w)(1) and (w)(2), the provisions of this subsection shall expire on December 31, 2005;

(x) all sales of propane gas, LP-gas, coal, wood and other fuel sources for the production of heat or lighting for noncommercial use of an occupant of residential premises occurring prior to January 1, 2006;

(y) all sales of materials and services used in the repairing, servicing, altering, maintaining, manufacturing, remanufacturing, or modification of railroad rolling stock for use in interstate or foreign commerce under authority of the laws of the United States;

(z) all sales of tangible personal property and services purchased directly by a port authority or by a contractor therefor as provided by the provisions of K.S.A. 12-3418, and amendments thereto;

(aa) all sales of materials and services applied to equipment that is transported into the state from without the state for repair, service, alteration, maintenance, remanufacture or modification and that is subsequently transported outside the state for use in the transmission of liquids or natural gas by means of pipeline in interstate or foreign commerce under authority of the laws of the United States;

(bb) all sales of used mobile homes or manufactured homes. As used in this subsection: (1) "Mobile homes" and "manufactured homes" mean the same as defined in K.S.A. 58-4202, and amendments thereto; and (2) "sales of used mobile homes or

manufactured homes" means sales other than the original retail sale thereof;

(cc) all sales of tangible personal property or services purchased prior to January 1, 2012, except as otherwise provided, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business or retail business that meets the requirements established in K.S.A. 74-50,115, and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business or retail business, and all sales of tangible personal property or services purchased on or after January 1, 2012, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business that meets the requirements established in K.S.A. 74-50,115(e), and amendments thereto, and the sale and installation of machinery and equipment purchased for installation at any such business. When a person shall contract for the construction, reconstruction, enlargement or remodeling of any such business or retail business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the owner of the business or retail business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. As used in this subsection, "business" and "retail business" mean the same as defined in K.S.A. 74-50,114, and amendments thereto. Project exemption certificates that have been previously issued under this subsection by the department of revenue pursuant to K.S.A. 74-50,115, and amendments thereto, but not including K.S.A. 74-50,115(e), and amendments thereto, prior to January 1, 2012, and have not expired will be effective for the term of the project or two years from the effective date of the certificate, whichever occurs earlier. Project exemption certificates that are submitted to the department of revenue prior to January 1, 2012, and are found to qualify will be issued a project exemption certificate that will be effective for a two-year period or for the term of the project, whichever occurs earlier;

(dd) all sales of tangible personal property purchased with food stamps issued by the United States department of agriculture;

(ee) all sales of lottery tickets and shares made as part of a lottery operated by the state of Kansas;

(ff) on and after July 1, 1988, all sales of new mobile homes or manufactured homes to the extent of 40% of the gross receipts, determined without regard to any trade-in allowance, received from such sale. As used in this subsection, "mobile homes" and "manufactured homes" mean the same as defined in K.S.A. 58-4202, and amendments thereto;

(gg) all sales of tangible personal property purchased in accordance with vouchers issued pursuant to the federal special supplemental food program for women, infants and children;

(hh) all sales of medical supplies and equipment, including durable medical equipment, purchased directly by a nonprofit skilled nursing home or nonprofit intermediate nursing care home, as defined by K.S.A. 39-923, and amendments thereto, for the purpose of providing medical services to residents thereof. This exemption shall not apply to tangible personal property customarily used for human habitation purposes. As used in this subsection, "durable medical equipment" means equipment including repair and replacement parts for such equipment, that can withstand repeated use, is primarily and customarily used to serve a medical purpose, generally is not useful to a person in the absence of illness or injury and is not worn in or on the body, but does not include mobility enhancing equipment as defined in subsection (r), oxygen delivery equipment, kidney dialysis equipment or enteral feeding systems;

(ii) all sales of tangible personal property purchased directly by a nonprofit organization for nonsectarian comprehensive multidiscipline youth development programs and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(jj) all sales of tangible personal property or services, including the renting and leasing of tangible personal property, purchased directly on behalf of a community-based facility for people with intellectual disability or mental health center organized pursuant to K.S.A. 19-4001 et seq., and amendments thereto, and licensed in accordance with the provisions of K.S.A. 39-2001 et seq., and amendments thereto, and all sales of tangible personal property or services purchased by contractors during the time period from July, 2003, through June, 2006, for the purpose of constructing, equipping, maintaining or furnishing a new facility for a community-based facility for people with intellectual disability or mental health center located in Riverton, Cherokee County, Kansas, that would have been eligible for sales tax exemption pursuant to this subsection if purchased directly by such facility or center. This exemption shall not apply to tangible personal property customarily used for human habitation purposes;

(kk) (1) (A) all sales of machinery and equipment that are used in this state as an integral or essential part of an integrated production operation by a manufacturing or processing plant or facility;

(B) all sales of installation, repair and maintenance services performed on such machinery and equipment; and

(C) all sales of repair and replacement parts and accessories purchased for such machinery and equipment.

(2) For purposes of this subsection:

(A) "Integrated production operation" means an integrated series of operations engaged in at a manufacturing or processing plant or facility to process, transform or convert tangible personal property by physical, chemical or other means into a different form, composition or character from that in which it originally existed. Integrated production operations shall include: (i) Production line operations, including packaging operations; (ii) preproduction operations to handle, store and treat raw materials; (iii) post production handling, storage, warehousing and distribution operations; and (iv)

waste, pollution and environmental control operations, if any;

(B) "production line" means the assemblage of machinery and equipment at a manufacturing or processing plant or facility where the actual transformation or processing of tangible personal property occurs;

(C) "manufacturing or processing plant or facility" means a single, fixed location owned or controlled by a manufacturing or processing business that consists of one or more structures or buildings in a contiguous area where integrated production operations are conducted to manufacture or process tangible personal property to be ultimately sold at retail. Such term shall not include any facility primarily operated for the purpose of conveying or assisting in the conveyance of natural gas, electricity, oil or water. A business may operate one or more manufacturing or processing plants or facilities at different locations to manufacture or process a single product of tangible personal property to be ultimately sold at retail;

(D) "manufacturing or processing business" means a business that utilizes an integrated production operation to manufacture, process, fabricate, finish or assemble items for wholesale and retail distribution as part of what is commonly regarded by the general public as an industrial manufacturing or processing operation or an agricultural commodity processing operation. (i) Industrial manufacturing or processing operations include, by way of illustration but not of limitation, the fabrication of automobiles, airplanes, machinery or transportation equipment, the fabrication of metal, plastic, wood or paper products, electricity power generation, water treatment, petroleum refining, chemical production, wholesale bottling, newspaper printing, ready mixed concrete production, and the remanufacturing of used parts for wholesale or retail sale. Such processing operations shall include operations at an oil well, gas well, mine or other excavation site where the oil, gas, minerals, coal, clay, stone, sand or gravel that has been extracted from the earth is cleaned, separated, crushed, ground, milled, screened, washed or otherwise treated or prepared before its transmission to a refinery or before any other wholesale or retail distribution. (ii) Agricultural commodity processing operations include, by way of illustration but not of limitation, meat packing, poultry slaughtering and dressing, processing and packaging farm and dairy products in sealed containers for wholesale and retail distribution, feed grinding, grain milling, frozen food processing, and grain handling, cleaning, blending, fumigation, drying and aeration operations engaged in by grain elevators or other grain storage facilities. (iii) Manufacturing or processing businesses do not include, by way of illustration but not of limitation, nonindustrial businesses whose operations are primarily retail and that produce or process tangible personal property as an incidental part of conducting the retail business, such as retailers who bake, cook or prepare food products in the regular course of their retail trade, grocery stores, meat lockers and meat markets that butcher or dress livestock or poultry in the regular course of their retail trade, contractors who alter, service, repair or improve real property, and retail businesses that clean, service or refurbish and repair tangible personal property for its owner;

(E) "repair and replacement parts and accessories" means all parts and accessories for exempt machinery and equipment, including, but not limited to, dies, jigs, molds, patterns and safety devices that are attached to exempt machinery or that are otherwise used in production, and parts and accessories that require periodic replacement such as belts, drill bits, grinding wheels, grinding balls, cutting bars, saws, refractory brick and other refractory items for exempt kiln equipment used in production operations;

(F) "primary" or "primarily" mean more than 50% of the time.

(3) For purposes of this subsection, machinery and equipment shall be deemed to be used as an integral or essential part of an integrated production operation when used to:

(A) Receive, transport, convey, handle, treat or store raw materials in preparation of its placement on the production line;

(B) transport, convey, handle or store the property undergoing manufacturing or processing at any point from the beginning of the production line through any warehousing or distribution operation of the final product that occurs at the plant or facility;

(C) act upon, effect, promote or otherwise facilitate a physical change to the property undergoing manufacturing or processing;

(D) guide, control or direct the movement of property undergoing manufacturing or processing;

(E) test or measure raw materials, the property undergoing manufacturing or processing or the finished product, as a necessary part of the manufacturer's integrated production operations;

(F) plan, manage, control or record the receipt and flow of inventories of raw materials, consumables and component parts, the flow of the property undergoing manufacturing or processing and the management of inventories of the finished product;

(G) produce energy for, lubricate, control the operating of or otherwise enable the functioning of other production machinery and equipment and the continuation of production operations;

(H) package the property being manufactured or processed in a container or wrapping in which such property is normally sold or transported;

(I) transmit or transport electricity, coke, gas, water, steam or similar substances used in production operations from the point of generation, if produced by the manufacturer or processor at the plant site, to that manufacturer's production operation; or, if purchased or delivered from off-site, from the point where the substance enters the site of the plant or facility to that manufacturer's production operations;

(J) cool, heat, filter, refine or otherwise treat water, steam, acid, oil, solvents or other substances that are used in production operations;

(K) provide and control an environment required to maintain certain levels of air quality, humidity or temperature in special and limited areas of the plant or facility, where such regulation of temperature or humidity is part of and essential to the production process;

(L) treat, transport or store waste or other byproducts of production operations at the plant or facility; or

(M) control pollution at the plant or facility where the pollution is produced by the manufacturing or processing operation.

(4) The following machinery, equipment and materials shall be deemed to be exempt even though it may not otherwise qualify as machinery and equipment used as an integral or essential part of an integrated production operation: (A) Computers and related peripheral equipment that are utilized by a manufacturing or processing business for engineering of the finished product or for research and development or product design; (B) machinery and equipment that is utilized by a manufacturing or processing business to manufacture or rebuild tangible personal property that is used in

manufacturing or processing operations, including tools, dies, molds, forms and other parts of qualifying machinery and equipment; (C) portable plants for aggregate concrete, bulk cement and asphalt including cement mixing drums to be attached to a motor vehicle; (D) industrial fixtures, devices, support facilities and special foundations necessary for manufacturing and production operations, and materials and other tangible personal property sold for the purpose of fabricating such fixtures, devices, facilities and foundations. An exemption certificate for such purchases shall be signed by the manufacturer or processor. If the fabricator purchases such material, the fabricator shall also sign the exemption certificate; (E) a manufacturing or processing business' laboratory equipment that is not located at the plant or facility, but that would otherwise qualify for exemption under subsection (3)(E); (F) all machinery and equipment used in surface mining activities as described in K.S.A. 49-601 et seq., and amendments thereto, beginning from the time a reclamation plan is filed to the acceptance of the completed final site reclamation.

(5) "Machinery and equipment used as an integral or essential part of an integrated production operation" shall not include:

(A) Machinery and equipment used for nonproduction purposes, including, but not limited to, machinery and equipment used for plant security, fire prevention, first aid, accounting, administration, record keeping, advertising, marketing, sales or other related activities, plant cleaning, plant communications and employee work scheduling;

(B) machinery, equipment and tools used primarily in maintaining and repairing any type of machinery and equipment or the building and plant;

(C) transportation, transmission and distribution equipment not primarily used in a production, warehousing or material handling operation at the plant or facility, including the means of conveyance of natural gas, electricity, oil or water, and equipment related thereto, located outside the plant or facility;

(D) office machines and equipment including computers and related peripheral equipment not used directly and primarily to control or measure the manufacturing process;

(E) furniture and other furnishings;

(F) buildings, other than exempt machinery and equipment that is permanently affixed to or becomes a physical part of the building, and any other part of real estate that is not otherwise exempt;

(G) building fixtures that are not integral to the manufacturing operation, such as utility systems for heating, ventilation, air conditioning, communications, plumbing or electrical;

(H) machinery and equipment used for general plant heating, cooling and lighting;

(I) motor vehicles that are registered for operation on public highways; or

(J) employee apparel, except safety and protective apparel that is purchased by an employer and furnished gratuitously to employees who are involved in production or research activities.

(6) Paragraphs (3) and (5) shall not be construed as exclusive listings of the machinery and equipment that qualify or do not qualify as an integral or essential part of an integrated production operation. When machinery or equipment is used as an integral or essential part of production operations part of the time and for nonproduction purposes at other times, the primary use of the machinery or equipment shall determine whether or not such machinery or equipment qualifies for exemption.

(7) The secretary of revenue shall adopt rules and regulations necessary to administer the provisions of this subsection;

(ll) all sales of educational materials purchased for distribution to the public at no charge by a nonprofit corporation organized for the purpose of encouraging, fostering and conducting programs for the improvement of public health, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such materials purchased by a nonprofit corporation which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(mm) all sales of seeds and tree seedlings; fertilizers, insecticides, herbicides, germicides, pesticides and fungicides; and services, purchased and used for the purpose of producing plants in order to prevent soil erosion on land devoted to agricultural use;

(nn) except as otherwise provided in this act, all sales of services rendered by an advertising agency or licensed broadcast station or any member, agent or employee thereof;

(oo) all sales of tangible personal property purchased by a community action group or agency for the exclusive purpose of repairing or weatherizing housing occupied by low-income individuals;

(pp) all sales of drill bits and explosives actually utilized in the exploration and production of oil or gas;

(qq) all sales of tangible personal property and services purchased by a nonprofit museum or historical society or any combination thereof, including a nonprofit organization that is organized for the purpose of stimulating public interest in the exploration of space by providing educational information, exhibits and experiences, that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986;

(rr) all sales of tangible personal property that will admit the purchaser thereof to any annual event sponsored by a nonprofit organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property purchased by a nonprofit organization which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto;

(ss) all sales of tangible personal property and services purchased by a public broadcasting station licensed by the federal communications commission as a noncommercial educational television or radio station;

(tt) all sales of tangible personal property and services purchased by or on behalf of a not-for-profit corporation that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the sole purpose of constructing a Kansas Korean War memorial;

(uu) all sales of tangible personal property and services purchased by or on behalf of any rural volunteer fire-fighting organization for use exclusively in the performance of its duties and functions;

(vv) all sales of tangible personal property purchased by any of the following organizations that are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, for the following purposes, and all sales of any such property by or on behalf of any such organization for any such purpose:

(1) The American heart association, Kansas affiliate, inc. for the purposes of providing education, training, certification in emergency cardiac care, research and other related services to reduce disability and death from cardiovascular diseases and stroke;

(2) the Kansas alliance for the mentally ill, inc. for the purpose of advocacy for persons with mental illness and to education, research and support for their families;

(3) the Kansas mental illness awareness council for the purposes of advocacy for persons who are mentally ill and for education, research and support for them and their families;

(4) the American diabetes association Kansas affiliate, inc. for the purpose of eliminating diabetes through medical research, public education focusing on disease prevention and education, patient education including information on coping with diabetes, and professional education and training;

(5) the American lung association of Kansas, inc. for the purpose of eliminating all lung diseases through medical research, public education including information on coping with lung diseases, professional education and training related to lung disease and other related services to reduce the incidence of disability and death due to lung disease;

(6) the Kansas chapters of the Alzheimer's disease and related disorders association, inc. for the purpose of providing assistance and support to persons in Kansas with Alzheimer's disease, and their families and caregivers;

(7) the Kansas chapters of the Parkinson's disease association for the purpose of eliminating Parkinson's disease through medical research and public and professional education related to such disease;

(8) the national kidney foundation of Kansas and western Missouri for the purpose of eliminating kidney disease through medical research and public and private education related to such disease;

(9) the heartstrings community foundation for the purpose of providing training, employment and activities for adults with developmental disabilities;

(10) the cystic fibrosis foundation, heart of America chapter, for the purposes of assuring the development of the means to cure and control cystic fibrosis and improving the quality of life for those with the disease;

(11) the spina bifida association of Kansas for the purpose of providing financial, educational and practical aid to families and individuals with spina bifida. Such aid includes, but is not limited to, funding for medical devices, counseling and medical educational opportunities;

(12) the CHWC, Inc., for the purpose of rebuilding urban core neighborhoods through the construction of new homes, acquiring and renovating existing homes and other related activities, and promoting economic development in such neighborhoods;

(13) the cross-lines cooperative council for the purpose of providing social services to low income individuals and families;

(14) the dreams work, inc., for the purpose of providing young adult day services to individuals with developmental disabilities and assisting families in avoiding institutional or nursing home care for a developmentally disabled member of their family;

(15) the KSDS, Inc., for the purpose of promoting the independence and inclusion of people with disabilities as fully participating and contributing members of their

communities and society through the training and providing of guide and service dogs to people with disabilities, and providing disability education and awareness to the general public;

(16) the lyme association of greater Kansas City, Inc., for the purpose of providing support to persons with lyme disease and public education relating to the prevention, treatment and cure of lyme disease;

(17) the dream factory, inc., for the purpose of granting the dreams of children with critical and chronic illnesses;

(18) the Ottawa Suzuki strings, inc., for the purpose of providing students and families with education and resources necessary to enable each child to develop fine character and musical ability to the fullest potential;

(19) the international association of lions clubs for the purpose of creating and fostering a spirit of understanding among all people for humanitarian needs by providing voluntary services through community involvement and international cooperation;

(20) the Johnson county young matrons, inc., for the purpose of promoting a positive future for members of the community through volunteerism, financial support and education through the efforts of an all volunteer organization;

(21) the American cancer society, inc., for the purpose of eliminating cancer as a major health problem by preventing cancer, saving lives and diminishing suffering from cancer, through research, education, advocacy and service;

(22) the community services of Shawnee, inc., for the purpose of providing food and clothing to those in need;

(23) the angel babies association, for the purpose of providing assistance, support and items of necessity to teenage mothers and their babies; and

(24) the Kansas fairgrounds foundation for the purpose of the preservation, renovation and beautification of the Kansas state fairgrounds;

(ww) all sales of tangible personal property purchased by the habitat for humanity for the exclusive use of being incorporated within a housing project constructed by such organization;

(xx) all sales of tangible personal property and services purchased by a nonprofit zoo that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, or on behalf of such zoo by an entity itself exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986 contracted with to operate such zoo and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo that would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit zoo or the entity operating such zoo. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any nonprofit zoo. When any nonprofit zoo shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of

such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to the nonprofit zoo concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, the nonprofit zoo concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(yy) all sales of tangible personal property and services purchased by a parent-teacher association or organization, and all sales of tangible personal property by or on behalf of such association or organization;

(zz) all sales of machinery and equipment purchased by over-the-air, free access radio or television station that is used directly and primarily for the purpose of producing a broadcast signal or is such that the failure of the machinery or equipment to operate would cause broadcasting to cease. For purposes of this subsection, machinery and equipment shall include, but not be limited to, that required by rules and regulations of the federal communications commission, and all sales of electricity which are essential or necessary for the purpose of producing a broadcast signal or is such that the failure of the electricity would cause broadcasting to cease;

(aaa) all sales of tangible personal property and services purchased by a religious organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and used exclusively for religious purposes, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate

to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 1998, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(bbb) all sales of food for human consumption by an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, pursuant to a food distribution program that offers such food at a price below cost in exchange for the performance of community service by the purchaser thereof;

(ccc) on and after July 1, 1999, all sales of tangible personal property and services purchased by a primary care clinic or health center the primary purpose of which is to provide services to medically underserved individuals and families, and that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center that would be exempt from taxation under the provisions of this section if purchased directly by such clinic or center, except that for taxable years commencing after December 31, 2013, this subsection shall not apply to any sales of such tangible personal property and services purchased by a primary care clinic or health center which performs any abortion, as defined in K.S.A. 65-6701, and amendments thereto. Nothing in this

subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such clinic or center. When any such clinic or center shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such clinic or center concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such clinic or center concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(ddd) on and after January 1, 1999, and before January 1, 2000, all sales of materials and services purchased by any class II or III railroad as classified by the federal surface transportation board for the construction, renovation, repair or replacement of class II or III railroad track and facilities used directly in interstate commerce. In the event any such track or facility for which materials and services were purchased sales tax exempt is not operational for five years succeeding the allowance of such exemption, the total amount of sales tax that would have been payable except for the operation of this subsection shall be recouped in accordance with rules and regulations adopted for such purpose by the secretary of revenue;

(eee) on and after January 1, 1999, and before January 1, 2001, all sales of materials and services purchased for the original construction, reconstruction, repair or replacement of grain storage facilities, including railroad sidings providing access thereto;

(fff) all sales of material handling equipment, racking systems and other related machinery and equipment that is used for the handling, movement or storage of tangible personal property in a warehouse or distribution facility in this state; all sales of installation, repair and maintenance services performed on such machinery and equipment; and all sales of repair and replacement parts for such machinery and

equipment. For purposes of this subsection, a warehouse or distribution facility means a single, fixed location that consists of buildings or structures in a contiguous area where storage or distribution operations are conducted that are separate and apart from the business' retail operations, if any, and that do not otherwise qualify for exemption as occurring at a manufacturing or processing plant or facility. Material handling and storage equipment shall include aeration, dust control, cleaning, handling and other such equipment that is used in a public grain warehouse or other commercial grain storage facility, whether used for grain handling, grain storage, grain refining or processing, or other grain treatment operation;

(ggg) all sales of tangible personal property and services purchased by or on behalf of the Kansas academy of science, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and used solely by such academy for the preparation, publication and dissemination of education materials;

(hhh) all sales of tangible personal property and services purchased by or on behalf of all domestic violence shelters that are member agencies of the Kansas coalition against sexual and domestic violence;

(iii) all sales of personal property and services purchased by an organization that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and such personal property and services are used by any such organization in the collection, storage and distribution of food products to nonprofit organizations that distribute such food products to persons pursuant to a food distribution program on a charitable basis without fee or charge, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities used for the collection and storage of such food products for any such organization which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such contractor to the director of

taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after July 1, 2005, but prior to the effective date of this act upon the gross receipts received from any sale exempted by the amendatory provisions of this subsection shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(jjj) all sales of dietary supplements dispensed pursuant to a prescription order by a licensed practitioner or a mid-level practitioner as defined by K.S.A. 65-1626, and amendments thereto. As used in this subsection, "dietary supplement" means any product, other than tobacco, intended to supplement the diet that: (1) Contains one or more of the following dietary ingredients: A vitamin, a mineral, an herb or other botanical, an amino acid, a dietary substance for use by humans to supplement the diet by increasing the total dietary intake or a concentrate, metabolite, constituent, extract or combination of any such ingredient; (2) is intended for ingestion in tablet, capsule, powder, softgel, gelcap or liquid form, or if not intended for ingestion, in such a form, is not represented as conventional food and is not represented for use as a sole item of a meal or of the diet; and (3) is required to be labeled as a dietary supplement, identifiable by the supplemental facts box found on the label and as required pursuant to 21 C.F.R. § 101.36;

(lll) all sales of tangible personal property and services purchased by special olympics Kansas, inc. for the purpose of providing year-round sports training and athletic competition in a variety of olympic-type sports for individuals with intellectual disabilities by giving them continuing opportunities to develop physical fitness, demonstrate courage, experience joy and participate in a sharing of gifts, skills and friendship with their families, other special olympics athletes and the community, and activities provided or sponsored by such organization, and all sales of tangible personal property by or on behalf of any such organization;

(mmm) all sales of tangible personal property purchased by or on behalf of the Marillac center, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing psycho-social-biological and special education services to children, and all sales of any such property by or on behalf of such organization for such purpose;

(nnn) all sales of tangible personal property and services purchased by the west Sedgwick county-sunrise rotary club and sunrise charitable fund for the purpose of

constructing a boundless playground which is an integrated, barrier free and developmentally advantageous play environment for children of all abilities and disabilities;

(ooo) all sales of tangible personal property by or on behalf of a public library serving the general public and supported in whole or in part with tax money or a not-for-profit organization whose purpose is to raise funds for or provide services or other benefits to any such public library;

(ppp) all sales of tangible personal property and services purchased by or on behalf of a homeless shelter that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal income tax code of 1986, and used by any such homeless shelter to provide emergency and transitional housing for individuals and families experiencing homelessness, and all sales of any such property by or on behalf of any such homeless shelter for any such purpose;

(qqq) all sales of tangible personal property and services purchased by TLC for children and families, inc., hereinafter referred to as TLC, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of TLC for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by TLC. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC. When TLC contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which

such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(rrr) all sales of tangible personal property and services purchased by any county law library maintained pursuant to law and sales of tangible personal property and services purchased by an organization that would have been exempt from taxation under the provisions of this subsection if purchased directly by the county law library for the purpose of providing legal resources to attorneys, judges, students and the general public, and all sales of any such property by or on behalf of any such county law library;

(sss) all sales of tangible personal property and services purchased by catholic charities or youthville, hereinafter referred to as charitable family providers, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing emergency shelter and treatment for abused and neglected children as well as meeting additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of charitable family providers for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for charitable family providers for any such purpose which would be exempt from taxation under the provisions of this section if purchased directly by charitable family providers. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for charitable family providers. When charitable family providers contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to charitable family providers a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, charitable family providers shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a

certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(ttt) all sales of tangible personal property or services purchased by a contractor for a project for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility owned by a nonprofit museum that has been granted an exemption pursuant to subsection (qq), which such home or facility is located in a city that has been designated as a qualified hometown pursuant to the provisions of K.S.A. 75-5071 et seq., and amendments thereto, and which such project is related to the purposes of K.S.A. 75-5071 et seq., and amendments thereto, and that would be exempt from taxation under the provisions of this section if purchased directly by such nonprofit museum. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility for any such nonprofit museum. When any such nonprofit museum shall contract for the purpose of restoring, constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling a home or facility, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such nonprofit museum a sworn statement on a form to be provided by the director of taxation that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in a home or facility or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such nonprofit museum shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(uuu) all sales of tangible personal property and services purchased by Kansas children's service league, hereinafter referred to as KCSL, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing for the prevention and treatment of child abuse and maltreatment as well as meeting

additional critical needs for children, juveniles and family, and all sales of any such property by or on behalf of KCSL for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for KCSL for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by KCSL. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for KCSL. When KCSL contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to KCSL a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, KCSL shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(vvv) all sales of tangible personal property or services, including the renting and leasing of tangible personal property or services, purchased by jazz in the woods, inc., a Kansas corporation that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing jazz in the woods, an event benefiting children-in-need and other nonprofit charities assisting such children, and all sales of any such property by or on behalf of such organization for such purpose;

(www) all sales of tangible personal property purchased by or on behalf of the Frontenac education foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education support for students, and all sales of any such property by or on behalf of such organization for such purpose;

(xxx) all sales of personal property and services purchased by the booth theatre

foundation, inc., an organization, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such personal property and services are used by any such organization in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling of the booth theatre, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling the booth theatre for such organization, that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for any such organization. When any such organization shall contract for the purpose of constructing, equipping, reconstructing, maintaining, repairing, enlarging, furnishing or remodeling facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. Sales tax paid on and after January 1, 2007, but prior to the effective date of this act upon the gross receipts received from any sale which would have been exempted by the provisions of this subsection had such sale occurred after the effective date of this act shall be refunded. Each claim for a sales tax refund shall be verified and submitted to the director of taxation upon forms furnished by the director and shall be accompanied by any additional documentation required by the director. The director shall review each claim and shall refund that amount of sales tax paid as determined under the provisions of this subsection. All refunds shall be paid from the sales tax refund fund upon warrants of the director of accounts and reports pursuant to vouchers approved by the director or the director's designee;

(yyy) all sales of tangible personal property and services purchased by TLC charities foundation, inc., hereinafter referred to as TLC charities, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of encouraging private philanthropy to further the vision, values, and goals of TLC for children and families, inc.; and all sales of such property and services by or on behalf of TLC charities for any such purpose and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for TLC charities for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by TLC charities. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for TLC charities. When TLC charities contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to TLC charities a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be incorporated into the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, TLC charities shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(zzz) all sales of tangible personal property purchased by the rotary club of shawnee foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, as amended, used for the purpose of providing contributions to community service organizations and scholarships;

(aaaa) all sales of personal property and services purchased by or on behalf of victory in the valley, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing a

cancer support group and services for persons with cancer, and all sales of any such property by or on behalf of any such organization for any such purpose;

(bbbb) all sales of entry or participation fees, charges or tickets by Guadalupe health foundation, which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for such organization's annual fundraising event which purpose is to provide health care services for uninsured workers;

(cccc) all sales of tangible personal property or services purchased by or on behalf of wayside waifs, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing such organization's annual fundraiser, an event whose purpose is to support the care of homeless and abandoned animals, animal adoption efforts, education programs for children and efforts to reduce animal over-population and animal welfare services, and all sales of any such property, including entry or participation fees or charges, by or on behalf of such organization for such purpose;

(dddd) all sales of tangible personal property or services purchased by or on behalf of goodwill industries or Easter seals of Kansas, inc., both of which are exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing education, training and employment opportunities for people with disabilities and other barriers to employment;

(eeee) all sales of tangible personal property or services purchased by or on behalf of all American beef battalion, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of educating, promoting and participating as a contact group through the beef cattle industry in order to carry out such projects that provide support and morale to members of the United States armed forces and military services;

(ffff) all sales of tangible personal property and services purchased by sheltered living, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of providing residential and day services for people with developmental disabilities or intellectual disability, or both, and all sales of any such property by or on behalf of sheltered living, inc., for any such purpose; and all sales of tangible personal property or services purchased by a contractor for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling homes and facilities for sheltered living, inc., for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by sheltered living, inc. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities for sheltered living, inc. When sheltered living, inc., contracts for the purpose of rehabilitating, constructing, maintaining, repairing, enlarging, furnishing or remodeling such homes and facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project the contractor shall furnish to sheltered living, inc., a sworn

statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, sheltered living, inc., shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(gggg) all sales of game birds for which the primary purpose is use in hunting;

(hhhh) all sales of tangible personal property or services purchased on or after July 1, 2014, for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a business identified under the North American industry classification system (NAICS) subsectors 1123, 1124, 112112, 112120 or 112210, and the sale and installation of machinery and equipment purchased for installation at any such business. The exemption provided in this subsection shall not apply to projects that have actual total costs less than \$50,000. When a person contracts for the construction, reconstruction, enlargement or remodeling of any such business, such person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to the owner of the business a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor of the contractor, who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(iiii) all sales of tangible personal property or services purchased by a contractor for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling facilities for the operation of services for Wichita children's home for any such purpose that would be exempt from taxation under the provisions of this section if purchased directly by Wichita children's home. Nothing in this subsection shall be

deemed to exempt the purchase of any construction machinery, equipment or tools used in the constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities for Wichita children's home. When Wichita children's home contracts for the purpose of constructing, maintaining, repairing, enlarging, furnishing or remodeling such facilities, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to Wichita children's home a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in the building or other project or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in the building or other project reported and paid by such contractor to the director of taxation not later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, Wichita children's home shall be liable for the tax on all materials purchased for the project, and upon payment, it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor, who shall use or otherwise dispose of any materials purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto;

(jjjj) all sales of tangible personal property or services purchased by or on behalf of the beacon, inc., that is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of providing those desiring help with food, shelter, clothing and other necessities of life during times of special need;

(kkkk) all sales of tangible personal property and services purchased by or on behalf of reaching out from within, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code, for the purpose of sponsoring self-help programs for incarcerated persons that will enable such incarcerated persons to become role models for non-violence while in correctional facilities and productive family members and citizens upon return to the community;

(llll) all sales of tangible personal property and services purchased by Gove county healthcare endowment foundation, inc., which is exempt from federal income taxation pursuant to section 501(c)(3) of the federal internal revenue code of 1986, and which such property and services are used for the purpose of constructing and equipping an airport in Quinter, Kansas, and all sales of tangible personal property or services purchased by a contractor for the purpose of constructing and equipping an airport in Quinter, Kansas, for such organization, that would be exempt from taxation under the provisions of this section if purchased directly by such organization. Nothing in this subsection shall be deemed to exempt the purchase of any construction machinery,

equipment or tools used in the constructing or equipping of facilities for such organization. When such organization shall contract for the purpose of constructing or equipping an airport in Quinter, Kansas, it shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials for incorporation in such project. The contractor shall furnish the number of such certificate to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to such organization concerned a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. If any materials purchased under such a certificate are found not to have been incorporated in such facilities or not to have been returned for credit or the sales or compensating tax otherwise imposed upon such materials that will not be so incorporated in such facilities reported and paid by such contractor to the director of taxation no later than the 20th day of the month following the close of the month in which it shall be determined that such materials will not be used for the purpose for which such certificate was issued, such organization concerned shall be liable for tax on all materials purchased for the project, and upon payment thereof it may recover the same from the contractor together with reasonable attorney fees. Any contractor or any agent, employee or subcontractor thereof, who purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed upon such materials, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. The provisions of this subsection shall expire and have no effect on and after July 1, 2019;

(mmmm) all sales of gold or silver coins; and palladium, platinum, gold or silver bullion. For the purposes of this subsection, "bullion" means bars, ingots or commemorative medallions of gold, silver, platinum, palladium, or a combination thereof, for which the value of the metal depends on its content and not the form;

(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; ~~and~~

(oooo) all sales of tangible personal property or services purchased for the purpose of and in conjunction with constructing, reconstructing, enlarging or remodeling a qualified business facility by a qualified firm or qualified supplier that meets the requirements established in K.S.A. 2022 Supp. 74-50,312 and 74-50,319, and amendments thereto, and that has been approved for a project exemption certificate by the secretary of commerce, and the sale and installation of machinery and equipment purchased by such qualified firm or qualified supplier for installation at any such qualified business facility. When a person shall contract for the construction, reconstruction, enlargement or remodeling of any such qualified business facility, such

person shall obtain from the state and furnish to the contractor an exemption certificate for the project involved, and the contractor may purchase materials, machinery and equipment for incorporation in such project. The contractor shall furnish the number of such certificates to all suppliers from whom such purchases are made, and such suppliers shall execute invoices covering the same bearing the number of such certificate. Upon completion of the project, the contractor shall furnish to the owner of the qualified firm or qualified supplier a sworn statement, on a form to be provided by the director of taxation, that all purchases so made were entitled to exemption under this subsection. All invoices shall be held by the contractor for a period of five years and shall be subject to audit by the director of taxation. Any contractor or any agent, employee or subcontractor thereof who shall use or otherwise dispose of any materials, machinery or equipment purchased under such a certificate for any purpose other than that for which such a certificate is issued without the payment of the sales or compensating tax otherwise imposed thereon, shall be guilty of a misdemeanor and, upon conviction therefor, shall be subject to the penalties provided for in K.S.A. 79-3615(h), and amendments thereto. As used in this subsection, "qualified business facility," "qualified firm" and "qualified supplier" mean the same as defined in K.S.A. 2022 Supp. 74-50,311, and amendments thereto; and

(pppp) (1) (A) all sales of equipment, machinery, software, ancillary components, appurtenances, accessories or other infrastructure purchased for use in the provision of communications services; and

(B) all services purchased by a provider in the provision of the communications service used in the repair, maintenance or installation in such communications service.

(2) As used in this subsection:

(A) "Communications service" means internet access service, telecommunications service, video service or any combination thereof.

(B) "Equipment, machinery, software, ancillary components, appurtenances, accessories or other infrastructure" includes, but is not limited to:

(i) Wires, cables, fiber, conduits, antennas, poles, switches, routers, amplifiers, rectifiers, repeaters, receivers, multiplexers, duplexers, transmitters, circuit cards, insulating and protective materials and cases, power equipment, backup power equipment, diagnostic equipment, storage devices, modems, cable modem termination systems and servers;

(ii) other general central office or headend equipment, such as channel cards, frames and cabinets;

(iii) equipment used in successor technologies, including items used to monitor, test, maintain, enable or facilitate qualifying equipment, machinery, software, ancillary components, appurtenances and accessories; and

(iv) other infrastructure that is used in whole or in part to provide communications services, including broadcasting, distributing, sending, receiving, storing, transmitting, retransmitting, amplifying, switching, providing connectivity for or routing communications services.

(C) "Internet access service" means the same as internet access as defined in section 1105 of the internet tax freedom act amendments of 2007, public law 110-108.

(D) "Provider" means a person or entity that sells communications service, including an affiliate or subsidiary.

(E) "Telecommunications service" means the same as defined in K.S.A. 79-3602.

and amendments thereto.

(F) "Video service" means the same as defined in K.S.A. 12-2022, and amendments thereto.

(3) The provisions of this subsection shall expire and have no effect on and after July 1, 2028.

Sec. 21. K.S.A. 2022 Supp. 79-4508a is hereby amended to read as follows: 79-4508a. (a) For tax year 2022, and all tax years thereafter, the amount of any claim pursuant to this section shall be computed by deducting the claimant's base year ad valorem tax amount for the homestead from the claimant's homestead ad valorem tax amount for the tax year for which the refund is sought.

(b) As used in this section:

(1) "Base year" means the year in which an individual becomes an eligible claimant and who is also eligible for a claim for refund pursuant to this section. For any individual who would otherwise be an eligible claimant prior to 2021, such base year shall be deemed to be 2021 for the purposes of this act.

(2) "Claimant" means a person who has filed a claim under the provisions of this act and was, during the entire calendar year preceding the year in which such claim was filed for refund under this act, except as provided in K.S.A. 79-4503, and amendments thereto, both domiciled in this state and was: (A) A person who is 65 years of age or older; or (B) a disabled veteran. The surviving spouse of a person 65 years of age or older or a disabled veteran who was receiving benefits pursuant to this section at the time of the claimant's death shall be eligible to continue to receive benefits until such time the surviving spouse remarries.

(3) "Household income" means all income as defined in K.S.A. 79-4502(a), and amendments thereto, excluding all payments received under the federal social security act received by persons of a household in a calendar year while members of such household.

(c) A claimant shall only be eligible for a claim for refund under this section if:

(1) The claimant's household income for the year in which the claim is filed is ~~\$50,000~~ \$80,000 or less, except as provided in subsection (f); and

(2) the appraised value of the claimant's homestead for the base year is ~~\$350,000~~ \$500,000 or less.

The provisions of K.S.A. 79-4522, and amendments thereto, shall not apply to a claim pursuant to this section. In the case of all tax years commencing after December 31, 2022, the upper limit household income threshold amount prescribed in this subsection shall be increased by an amount equal to such 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. In the case of all base years commencing after December 31, 2021, the upper limit appraised value threshold amount prescribed in this subsection shall be increased each year to reflect the average percentage change in statewide residential valuation of existing residential real property for the preceding 10 years.

(d) A taxpayer shall not be eligible for a homestead property tax refund claim pursuant to this section if such taxpayer has received for such property for such tax year either: (1) A homestead property tax refund pursuant to K.S.A. 79-4508, and amendments thereto; or (2) the selective assistance for effective senior relief (SAFESR) credit pursuant to K.S.A. 79-32,263, and amendments thereto.

(e) The amount of any claim shall be computed to the nearest \$1.

(f) The household income eligibility provision of subsection (c)(1) shall not apply to a claimant who is a disabled veteran.

(g) The household income and appraised value amendments made to this section by this act shall apply retroactively, and the deadline to file claims for tax year 2022 shall be extended to on or before April 15, 2024.

(h) The provisions of this section shall be a part of and supplemental to the homestead property tax refund act.";

Also on page 8, in line 22, by striking "and" and inserting ", 79-1496,"; in line 23, after "32,107" by inserting ", 79-32,202a and 79-32,273 and K.S.A. 2022 Supp. 79-1460, 79-1476, 79-2005, 79-2988, 79-2989, 79-32,117, as amended by section 5 of 2023 House Bill No. 2197, 79-32,287, 79-3606 and 79-4508a"; following line 23, by inserting:

"Sec. 23. On and after January 1, 2024, K.S.A. 2022 Supp. 79-3602c is hereby repealed.";

And by renumbering sections accordingly;

On page 1, in the title, in line 4, after the second semicolon by inserting "extending reimbursement from the taxpayer notification costs fund for printing and postage costs for county clerks for calendar year 2024; modifying and prescribing the contents of the revenue neutral rate public hearing notice; providing two prior years' values on the annual valuation notice; allowing for filing of an appraisal by a certified residential real property appraiser for appeal purposes; discontinuing the prohibition of paying taxes under protest after a valuation notice appeal; accounting for adverse influences in the valuation of agricultural land; including properties used for registered agritourism activities as land devoted to agricultural use for purposes of classification; providing a property tax exemption for certain business property operated in competition with property owned or operated by a governmental entity"; in line 6, after the semicolon by inserting "providing a subtraction modification to permit the carryforward of certain net operating losses for individuals; providing a subtraction modification for the federal work opportunity tax credit and the employee retention credit disallowances; increasing the tax credit amount for adoption expenses and making the credit refundable; increasing the maximum yearly amount of income tax credits available for purchases under the disability employment act from qualified vendors and continuing in existence such credits beyond tax year 2023; defining qualifying vendors and eligible employees; clarifying the determination of taxable income of an electing pass-through entity and providing for the passing through of tax credits to electing pass-through entity owners for purposes of the salt parity act; excluding social security payments from household income and expanding eligibility for seniors and disabled veterans related to increased property tax homestead refund claims; relating to income, privilege and premium tax credits; establishing a tax credit for contributions to eligible charitable organizations operating pregnancy centers or residential maternity facilities; relating to sales taxation; providing for a sales tax exemption for sales of property and services used in the provision of communications services; excluding manufacturers' coupons from the sales or selling price"; in line 7, by striking the first "and" and inserting ", 79-1496,"; also in line 7, after "79-32,107" by inserting ", 79-32,202a and 79-32,273 and K.S.A. 2022 Supp. 79-1460, 79-1476, 79-2005, 79-2988, 79-2989, 79-32,117, as amended by section 5 of 2023 House Bill No. 2197, 79-32,287, 79-3602c, 79-3606 and 79-4508a";

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

ADAM SMITH
BRIAN BERGKAMP
TOM SAWYER

Conferees on part of House

CARYN TYSON
VIRGIL PECK
TOM HOLLAND

Conferees on part of Senate

Senator Tyson moved the Senate adopt the Conference Committee Report on **SB 8**.

On roll call, the vote was: Yeas 26; Nays 13; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, O'Shea, Olson, Peck, Petersen, Pittman, Pyle, Ryckman, Shallenburger, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Dietrich, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Longbine, McGinn, Pettey, Reddi, Sykes, Ware.

Present and Passing: Steffen.

The Conference Committee Report was adopted.

EXPLANATION OF VOTE

I passed on **SB 8** because it is a hodgepodge of bills and issues put together haphazardly without a common theme. On one hand it tries to level playing fields while clearly upsetting balance on others. Kansas deserves thoughtful, methodical governance, not "garbage governance" via a chaotic process.—MARK STEFFEN

CONFERENCE COMMITTEE REPORTS

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2010** 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. 2010, as follows:

On page 1, following line 20, by inserting:

"New Section 1. (a) (1) In any criminal prosecution, the prosecuting attorney shall disclose its intent to introduce testimony of a jailhouse witness regarding statements made by a suspect or defendant while such witness and suspect or defendant were both incarcerated within the time provided by K.S.A. 22-3212, and amendments thereto. The prosecuting attorney shall provide to the defense:

(A) The criminal history of the jailhouse witness, including any pending or dismissed criminal charges;

(B) the jailhouse witness's cooperation agreement and any benefit that has been provided to or will be provided in the future to the jailhouse witness;

(C) the contents of any statement allegedly given by the suspect or defendant to the jailhouse witness and the contents of any statement given by the jailhouse witness to law enforcement regarding the statements allegedly made by the suspect or defendant, including the time and place such statements were given;

(D) any information regarding the jailhouse witness recanting testimony or statements, including the time and place of the recantation, the nature of the recantation and the names of the people present at the recantation; and

(E) any cooperation agreement and any benefit that the jailhouse witness received in any criminal case in which the testimony of such jailhouse witness was introduced.

(2) The court may permit the prosecuting attorney to comply with the provisions of this section after the time period provided in paragraph (1) if the court finds that the jailhouse witness was not known or the information described in paragraph (1) could not be discovered or obtained by the prosecuting attorney exercising due diligence within such time period.

(3) If the court finds that disclosing the information described in paragraph (1) is likely to cause bodily harm to the jailhouse witness, the court may:

(A) Order that such evidence be viewed only by the defense counsel and not by the defendant or others; and

(B) issue a protective order.

(b) (1) Each prosecuting attorney's office shall maintain a central record containing information regarding:

(A) Any case in which testimony by a jailhouse witness is introduced by a prosecuting attorney regarding statements made by a suspect or defendant and the substance of such testimony; and

(B) any benefit that has been provided to or will be provided in the future to a jailhouse witness in connection with testimony provided by such witness.

(2) Each prosecuting attorney's office shall forward the information described in paragraph (1) to the Kansas bureau of investigation. The bureau shall maintain a statewide database containing the information forwarded pursuant to this section. Such database shall be accessible only to prosecuting attorneys and shall otherwise remain confidential and not subject to the open records act, K.S.A. 45-215 et seq., and amendments thereto. The provision regarding confidentiality shall not be subject to expiration or review pursuant to K.S.A. 45-229, and amendments thereto.

(c) As used in this section:

(1) "Benefit" means any plea bargain, bail consideration, reduction or modification of sentence, or any other leniency, immunity, financial payment, reward or amelioration of current or future conditions of sentence that is requested, provided or will be provided in the future in connection with, or in exchange for, testimony of a jailhouse witness.

(2) "Jailhouse witness" means a person who provides testimony during a criminal prosecution regarding statements made by a suspect or defendant while both the witness and the suspect or defendant were incarcerated, and who has been offered or may in the future receive a benefit in connection with such testimony. "Jailhouse witness" does not mean a person who is a confidential informant, an accomplice or a co-defendant.

(d) This section shall be a part of and supplemental to the Kansas code of criminal procedure.";

On page 24, following line 6, by inserting:

"Sec. 9. K.S.A. 45-229 is hereby amended to read as follows: 45-229. (a) It is the intent of the legislature that exceptions to disclosure under the open records act shall be created or maintained only if:

(1) The public record is of a sensitive or personal nature concerning individuals;

(2) the public record is necessary for the effective and efficient administration of a governmental program; or

(3) the public record affects confidential information.

The maintenance or creation of an exception to disclosure must be compelled as measured by these criteria. Further, the legislature finds that the public has a right to have access to public records unless the criteria in this section for restricting such access to a public record are met and the criteria are considered during legislative review in connection with the particular exception to disclosure to be significant enough to override the strong public policy of open government. To strengthen the policy of open government, the legislature shall consider the criteria in this section before enacting an exception to disclosure.

(b) Subject to the provisions of subsections (g) and (h), any new exception to disclosure or substantial amendment of an existing exception shall expire on July 1 of the fifth year after enactment of the new exception or substantial amendment, unless the legislature acts to continue the exception. A law that enacts a new exception or substantially amends an existing exception shall state that the exception expires at the end of five years and that the exception shall be reviewed by the legislature before the scheduled date.

(c) For purposes of this section, an exception is substantially amended if the amendment expands the scope of the exception to include more records or information. An exception is not substantially amended if the amendment narrows the scope of the exception.

(d) This section is not intended to repeal an exception that has been amended following legislative review before the scheduled repeal of the exception if the exception is not substantially amended as a result of the review.

(e) In the year before the expiration of an exception, the revisor of statutes shall certify to the president of the senate and the speaker of the house of representatives, by July 15, the language and statutory citation of each exception that will expire in the following year that meets the criteria of an exception as defined in this section. Any exception that is not identified and certified to the president of the senate and the speaker of the house of representatives is not subject to legislative review and shall not expire. If the revisor of statutes fails to certify an exception that the revisor subsequently determines should have been certified, the revisor shall include the exception in the following year's certification after that determination.

(f) "Exception" means any provision of law that creates an exception to disclosure or limits disclosure under the open records act pursuant to K.S.A. 45-221, and amendments thereto, or pursuant to any other provision of law.

(g) A provision of law that creates or amends an exception to disclosure under the open records law shall not be subject to review and expiration under this act if such provision:

(1) Is required by federal law;

(2) applies solely to the legislature or to the state court system;

(3) has been reviewed and continued in existence twice by the legislature; ~~or~~

(4) has been reviewed and continued in existence by the legislature during the 2013 legislative session and thereafter; or

(5) is contained in the following statute: section 1(b).

(h) (1) The legislature shall review the exception before its scheduled expiration

and consider as part of the review process the following:

- (A) What specific records are affected by the exception;
- (B) whom does the exception uniquely affect, as opposed to the general public;
- (C) what is the identifiable public purpose or goal of the exception;
- (D) whether the information contained in the records may be obtained readily by alternative means and how it may be obtained;

(2) an exception may be created or maintained only if it serves an identifiable public purpose and may be no broader than is necessary to meet the public purpose it serves. An identifiable public purpose is served if the legislature finds that the purpose is sufficiently compelling to override the strong public policy of open government and cannot be accomplished without the exception and if the exception:

(A) Allows the effective and efficient administration of a governmental program that would be significantly impaired without the exception;

(B) protects information of a sensitive personal nature concerning individuals, the release of such information would be defamatory to such individuals or cause unwarranted damage to the good name or reputation of such individuals or would jeopardize the safety of such individuals. Only information that would identify the individuals may be excepted under this paragraph; or

(C) protects information of a confidential nature concerning entities, including, but not limited to, a formula, pattern, device, combination of devices, or compilation of information that is used to protect or further a business advantage over those who do not know or use it, if the disclosure of such information would injure the affected entity in the marketplace.

(3) Records made before the date of the expiration of an exception shall be subject to disclosure as otherwise provided by law. In deciding whether the records shall be made public, the legislature shall consider whether the damage or loss to persons or entities uniquely affected by the exception of the type specified in paragraph (2)(B) or (2)(C) would occur if the records were made public.

(i) (1) Exceptions contained in the following statutes as continued in existence in section 2 of chapter 126 of the 2005 Session Laws of Kansas and that have been reviewed and continued in existence twice by the legislature as provided in subsection (g) are hereby continued in existence: 1-401, 2-1202, 5-512, 9-1137, 9-1712, 9-2217, 10-630, 12-189, 12-1,108, 12-1694, 12-1698, 12-2819, 12-4516, 16-715, 16a-2-304, 17-1312e, 17-2227, 17-5832, 17-7511, 17-76,139, 19-4321, 21-2511, 22-3711, 22-4707, 22-4909, 22a-243, 22a-244, 23-605, 23-9,312, 25-4161, 25-4165, 31-405, 34-251, 38-2212, 39-709b, 39-719e, 39-934, 39-1434, 39-1704, 40-222, 40-2,156, 40-2c20, 40-2c21, 40-2d20, 40-2d21, 40-409, 40-956, 40-1128, 40-2807, 40-3012, 40-3304, 40-3308, 40-3403b, 40-3421, 40-3613, 40-3805, 40-4205, 44-510j, 44-550b, 44-594, 44-635, 44-714, 44-817, 44-1005, 44-1019, 45-221(a)(1) through (43), 46-256, 46-259, 46-2201, 47-839, 47-844, 47-849, 47-1709, 48-1614, 49-406, 49-427, 55-1,102, 58-4114, 59-2135, 59-2802, 59-2979, 59-29b79, 60-3333, 60-3336, 65-102b, 65-118, 65-119, 65-153f, 65-170g, 65-177, 65-1,106, 65-1,113, 65-1,116, 65-1,157a, 65-1,163, 65-1,165, 65-1,168, 65-1,169, 65-1,171, 65-1,172, 65-436, 65-445, 65-507, 65-525, 65-531, 65-657, 65-1135, 65-1467, 65-1627, 65-1831, 65-2422d, 65-2438, 65-2836, 65-2839a, 65-2898a, 65-3015, 65-3447, 65-34,108, 65-34,126, 65-4019, 65-4922, 65-4925, 65-5602, 65-5603, 65-6002, 65-6003, 65-6004, 65-6010, 65-67a05, 65-6803, 65-6804, 66-101c, 66-117, 66-151, 66-1,190, 66-1,203, 66-1220a, 66-2010, 72-2232, 72-3438, 72-6116,

72-6267, 72-9934, 73-1228, 74-2424, 74-2433f, 74-32,419, 74-4905, 74-4909, 74-50,131, 74-5515, 74-7308, 74-7338, 74-8104, 74-8307, 74-8705, 74-8804, 74-9805, 75-104, 75-712, 75-7b15, 75-1267, 75-2943, 75-4332, 75-4362, 75-5133, 75-5266, 75-5665, 75-5666, 75-7310, 76-355, 76-359, 76-493, 76-12b11, 76-12c03, 76-3305, 79-1119, 79-1437f, 79-3234, 79-3395, 79-3420, 79-3499, 79-34,113, 79-3614, 79-3657, 79-4301 and 79-5206.

(2) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) and that have been reviewed during the 2015 legislative session and continued in existence by the legislature as provided in subsection (g) are hereby continued in existence: 17-2036, 40-5301, 45-221(a)(45), (46) and (49), 48-16a10, 58-4616, 60-3351, 72-3415, 74-50,217 and 75-53,105.

(j) (1) Exceptions contained in the following statutes as continued in existence in section 1 of chapter 87 of the 2006 Session Laws of Kansas and that have been reviewed and continued in existence twice by the legislature as provided in subsection (g) are hereby continued in existence: 1-501, 9-1303, 12-4516a, 39-970, 65-525, 65-5117, 65-6016, 65-6017 and 74-7508.

(2) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) during 2015 and that have been reviewed during the 2016 legislative session are hereby continued in existence: 12-5611, 22-4906, 22-4909, 38-2310, 38-2311, 38-2326, 40-955, 44-1132, 45-221(a)(10)(F) and (a)(50), 60-3333, 65-4a05, 65-445(g), 65-6154, 71-218, 75-457, 75-712c, 75-723 and 75-7c06.

(k) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) and that have been reviewed during the 2014 legislative session and continued in existence by the legislature as provided in subsection (g) are hereby continued in existence: 1-205, 2-2204, 8-240, 8-247, 8-255c, 8-1324, 8-1325, 12-17,150, 12-2001, 17-12a607, 38-1008, 38-2209, 40-5006, 40-5108, 41-2905, 41-2906, 44-706, 44-1518, 45-221(a)(44), (45), (46), (47) and (48), 50-6a11, 65-1,243, 65-16,104, 65-3239, 74-50,184, 74-8134, 74-99b06, 77-503a and 82a-2210.

(l) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) during 2016 and that have been reviewed during the 2017 legislative session are hereby continued in existence: 12-5711, 21-2511, 22-4909, 38-2313, 45-221(a)(51) and (52), 65-516, 65-1505, 74-2012, 74-5607, 74-8745, 74-8752, 74-8772, 75-7d01, 75-7d05, 75-5133, 75-7427 and 79-3234.

(m) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) during 2012 and that have been reviewed during the 2013 legislative session and continued in existence by the legislature as provided in subsection (g) are hereby continued in existence: 12-5811, 40-222, 40-223j, 40-5007a, 40-5009a, 40-5012a, 65-1685, 65-1695, 65-2838a, 66-1251, 66-1805, 72-8268, 75-712 and 75-5366.

(n) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) and that have been reviewed during the 2018 legislative

session are hereby continued in existence: 9-513c(c)(2), 39-709, 45-221(a)(26), (53) and (54), 65-6832, 65-6834, 75-7c06 and 75-7c20.

(o) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) that have been reviewed during the 2019 legislative session are hereby continued in existence: 21-2511(h)(2), 21-5905(a)(7), 22-2302(b) and (c), 22-2502(d) and (e), 40-222(k)(7), 44-714(e), 45-221(a)(55), 46-1106(g) regarding 46-1106(i), 65-2836(i), 65-2839a(c), 65-2842(d), 65-28a05(n), article 6(d) of 65-6230, 72-6314(a) and 74-7047(b).

(p) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) that have been reviewed during the 2020 legislative session are hereby continued in existence: 38-2310(c), 40-409(j)(2), 40-6007(a), 45-221(a)(52), 46-1129, 59-29a22(b)(10) and 65-6747.

(q) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) that have been reviewed during the 2021 legislative session are hereby continued in existence: 22-2302(c)(4)(J) and (c)(6)(B), 22-2502(e)(4)(J) and (e)(6)(B) and 65-6111(d)(4).";

Also on page 24, in line 7, after "12-736" by inserting "and 45-229";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after the semicolon by inserting "requiring prosecutors to disclose their intent to introduce testimony from a jailhouse witness and to forward related information to the Kansas bureau of investigation; providing for confidentiality of such information;"; in line 13, after "12-736" by inserting "and 45-229";

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

KELLIE WARREN

RICK WILBORN

ETHAN CORSON

Conferees on part of Senate

STEPHEN OWENS

ERIC SMITH

BOOG HIGHBERGER

Conferees on part of House

The motion of Senator Warren to not adopt the conference committee report on **S Sub HB 2010** and appoint new conferees prevailed.

The President appointed Senators Warren, Wilborn and Corson as third conferees on the part of the Senate.

On motion of Senator Alley, the Senate recessed until 2:00 p.m.

The Senate met pursuant to recess with President Masterson in the chair.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Erickson, Francisco, Masterson and Sykes introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1724—

A RESOLUTION congratulating and commending the 2022–2023 University of Kansas women's basketball team on an outstanding season and for winning the program's first Women's National Invitation Tournament (WNIT) Championship.

WHEREAS, On April 1, 2023, the University of Kansas women's basketball team completed an outstanding season by winning the WNIT Championship; and

WHEREAS, The Jayhawks completed a perfect 6–0 run in the WNIT tournament by downing Western Kentucky University (86–72), the University of Missouri (75–47), the University of Nebraska (64–55), the University of Arkansas (78–64) and the University of Washington (61–36) prior to the title win over Columbia University of the Ivy League (66–59); and

WHEREAS, Tiana Jackson was named the 2023 WNIT Most Valuable Player; and

WHEREAS, Tiana Jackson was joined on the WNIT All-Tournament team by her fellow Jayhawk Zakiyah Franklin; and

WHEREAS, The Jayhawks were represented on the 2022–2023 All-Big 12 women's basketball team by the senior trio of Tiana Jackson, Zakiyah Franklin and Holly Kersgeeter. The honors featured Tiana Jackson and Zakiyah Franklin as All-Big 12 First Team selections, Holly Kersgeeter as an All-Big 12 honorable mention and Tiana Jackson as a member of the Big 12 All-Defensive Team. Tiana Jackson was a unanimous selection for both honors; and

WHEREAS, Brandon Schneider completed his eighth season at the helm of the Kansas women's basketball program. Coach Schneider was the 2022 Big 12 Coach of the Year. Earlier in his career, Coach Schneider had a highly successful 12-year stint at Emporia State, where he guided the Lady Hornets to the 2010 NCAA Division II National Championship; and

WHEREAS, Thanks to the Jayhawks' strong performance during the regular season and the hard work of the athletic department, the Jayhawks were selected to play all six of their WNIT games in historic Allen Fieldhouse, including the championship game in front of 11,701 fans, the largest crowd at Allen Fieldhouse for a women's basketball game since 2009: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend the University of Kansas women's basketball team for an outstanding season and winning the WNIT Championship; and

Be it further resolved: That we recognize head coach Brandon Schneider, associate coach Terry Nooner, assistant coach Morgan Paige, assistant coach Karyla Middlebrook, athletic director Travis Goff, deputy athletic director and senior woman administrator Nicole Corcoran, University of Kansas chancellor Doug Girod and every athlete and member of the team for a successful 2022–2023 season; and

Be it further resolved: That the Secretary of the Senate shall send three enrolled copies of this resolution to University of Kansas Athletic Director Travis Goff and one enrolled copy each to Senators Erickson, Francisco, Masterson and Sykes.

On emergency motion of Senator Erickson **SR 1724** was adopted by voice vote.

MESSAGE FROM THE HOUSE

Announcing a line item veto message from the Governor, together with the enrolled copy of **HB 2184**, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2023, June 30, 2024, June 30, 2025, June 30, 2026, June 30, 2027, and June 30, 2028, 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; authorizing and directing payment of certain claims against the state; amending K.S.A. 2-223, 12-1775a and 12-5256 and K.S.A. 2022 Supp. 65-180, 74-50,107, 74-8711, 74-99b34, 75-2263, 75-6707, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171 and 79-4804 and repealing the existing sections was received on April 20, 2023 and read on April 24, 2024.

“I appreciate the Legislature and the respective budget committees for their work over the first part of session to ensure that many essential services are funded. This budget also includes several measures that reflect a shared goal of continuing our recent success in passing balanced budgets and avoiding structural imbalance. Among the major items in this budget, we agree that it’s important to fully fund the state water plan, invest in our rainy day fund, set aside funds to pay off debt, and continue investing in infrastructure and public safety.

One of the most important parts of the state budget and the most significant portion of the budget is constitutional school funding and full funding for special education. Failing to fully fund our public schools leaves parents and students throughout the state unsure of whether they will be able to count on the Legislature to continue its recent success of avoiding expensive and unnecessary litigation. We have worked together for several years to ensure that we do not end up back in court, and I encourage the Legislature to continue to maintain constitutional school funding so that we can empower educators to continue to rebuild our education system back to one of the best in the country after a decade of inadequate funding.

While this budget includes many items that set aside funding for specific groups of Kansans who need essential health and human services, it fails to expand Medicaid. With now 40 states expanding Medicaid, Kansans will continue to pay for the healthcare of low-income citizens of other states while refusing that same basic coverage to citizens of our state. This refusal will continue to put a burden on our hospitals and other health providers, and as a result, it will continue to hurt main street businesses and rural and economically distressed communities throughout the state.

I do appreciate that for the most part, this budget maintains our commitment to keep the Bank of KDOT closed. As we continue to make progress on this front, we should do everything possible to work with local communities to draw down the maximum level of federal funding available. By doing so, it will ultimately relieve the costs on locals who would otherwise be forced to pay for these improvements entirely through local tax dollars, which are largely funded by property taxes.

In order to successfully complete many of the projects and activities that are funded in this budget, the Legislature should follow up with adequate funding for pay increases for state employees so that we can continue to work on filling vacancies that in some agencies make it difficult to deliver needed services. In addition to providing social services, consider that without being able to hire adequate state employees, vacancies lead to delays and increased costs for businesses and individuals seeking licenses and permits, grants, and improved infrastructure to deliver products and services.

I look forward to working with the Legislature to make sure these issues are considered when they return. Therefore, pursuant to Article 2, Section 14(b) of the Constitution of the State of Kansas, I hereby return **House Bill 2184** with my signature approving the bill, except for the items enumerated below.

Behavioral Sciences Regulatory Board Proviso

Sec. 15(b) has been vetoed in its entirety.

Mental health professionals and social workers provide critical care to communities across the state. We should be focused on strengthening our workforce and preparing them to serve Kansans from all backgrounds. This funding restriction limits the ability for these professionals to be trained in potentially lifesaving practices that address the individualized needs of every Kansan.

Board of Pharmacy Proviso

Sec. 25(b) and Sec. 26(d) have been vetoed in their entirety.

Legislators should address rules and regulations that they disagree with by passing legislation through the regular process. The funding restrictions outlined in Sec. 25(b) and Sec. 26(d) attempt to invalidate rules and regulations that have been promulgated by the State Board of Pharmacy. If the Legislature would like to delay the implementation of these rules and regulations, it can pass legislation through the regular process, allowing the regulated community, patients, and health care providers have an opportunity to weigh in on the necessity of revising these rules and regulations.

Governmental Ethics Commission—Already Accomplished in Senate Bill 208

Sec. 31(c) has been vetoed in its entirety.

I understand and support the action to redirect civil penalties collected by the Governmental Ethics Commission to the State General Fund. The language to accomplish this is found in SB 208 which was passed by the Legislature, and which I signed into law on April 14, 2023.

Attorney General—Master Tobacco Settlement Funds

Sec. 39(e) has been vetoed in its entirety.

Since its inception, funding from the Kansas Endowment for Youth has been intended to support programs and services for children between the ages of birth to five years. K.S.A 38-2101 and K.S.A 38-2102 directs funds intended to support programmatic efforts be transferred into the Children’s Initiative Fund. I continue to be committed to supporting youth suicide prevention efforts and enhancing funding for mental health services. The funding in this line item should be used for compliance with the tobacco master settlement agreement, as it has been since 1999.

State Treasurer—Build Kansas Matching Grant Fund Provisos

The portion of 42(b) that reads as follows has been line-item vetoed:

Build Kansas matching grant fund.....No limit

Provided, That during the fiscal year ending June 30, 2024, no expenditures shall be made from or obligation incurred against the build Kansas matching grant fund without approval from the joint committee on build Kansas subject to the provisions of these provisos: Provided further, That there is hereby established a joint committee on build Kansas within the legislative branch: And provided further, That such joint committee shall be composed of five members of the senate and five members of the house of representatives: And provided further, That all senate members shall be appointed by the president of the senate: And provided further, That all representative members shall be appointed by the speaker of the house of representatives: And provided further, That the two major political parties shall have proportional representation on such committee: And provided further, That the chairperson of such committee shall be a senate member appointed by the president and the vice chairperson shall be representative member appointed by the speaker of the house of representatives: And provided further, That any state agency named in this act that is knowledgeable concerning potential infrastructure projects that may be funded by the infrastructure investment and jobs act, public law 117-58, shall inform and educate local communities of the funding opportunities available in such act: And provided further, That such state agencies shall provide assistance as necessary to interested local communities: And provided further, That such state agencies shall form a steering committee to meet regularly in order to coordinate efforts and develop a process to ensure local communities are informed and connected with the coordinating state agency: And provided further, That the steering committee, following review and approval by the joint committee on build Kansas, shall establish a means test to determine whether the local community is an eligible entity pursuant to the infrastructure investment and jobs act and has demonstrated a need for such grant: And provided further, That a grant funding application, requesting matching funds for the purposes of the infrastructure

investment and jobs act, shall be approved by the coordinating state agency, in consultation with the steering committee, prior to submission to the joint committee on build Kansas: And provided further, That the grant funding application requested by eligible entities from the build Kansas matching grant fund and approved by the coordinating state agency shall be submitted to the joint committee on build Kansas: And provided further, That as soon as practicable, the joint committee on build Kansas shall meet and review each request and, if approved by such committee, shall report such committee's recommendation and approval to the state treasurer, the eligible entity submitting the grant application and the coordinating state agency that is providing assistance to the eligible entity in the local community: And provided further, That such approval shall be taken by a majority of all members of the joint committee on build Kansas: Provided however, That other than operating expenditures, no expenditures shall be made from the build Kansas matching grant fund without written documentation to the state treasurer that such grant funding application has been approved by the federal government pursuant to the infrastructure investment and jobs act: And provided further, That, upon approval by the joint committee on build Kansas and notification of federal approval, the above agency shall expend matching grant funds to the eligible entity that has been awarded such grant subject to the provisions of the grant: And provided, however, That within 10 calendar days from such approval by the joint committee on build Kansas the state finance council may approve a resolution rejecting such approval and stop the expenditure of such matching grant funds to the eligible entity: And provided further, That the state finance council is hereby authorized to stop such expenditures: And provided further, That the state finance council action on this matter 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, except that such approval also may be given while the legislature is in session: And provided further, That such matching grant funds shall be used by eligible entities to support projects funded by the infrastructure investment and jobs act: And provided further, That such projects shall include, but not be limited to, water, transportation, energy, cyber security and broadband infrastructure: And provided however, That if during fiscal year 2024, the joint committee on build Kansas determines that the unencumbered balance in the build Kansas matching grant fund is insufficient to pay an amount that is necessary to finance grant applications approved by such committee pursuant to this proviso, such committee may request approval from the state finance council to transfer an amount equal to the insufficient amount from the state general fund to the build Kansas matching grant fund: And provided however, That no such transfer shall be made from the state general fund to the build Kansas matching grant fund without approval from 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 the state finance council is hereby authorized to approve such transfers: And provided further, That if approved, the director of accounts and reports shall make such transfer: And provided however, That the total of all amounts transferred from the state general fund to the build Kansas matching grant fund pursuant to this proviso shall not exceed \$215,000,000: And provided further, That approved grant applications shall be distributed geographically based on the department of commerce's Kansas economic development districts and for the purposes of this proviso, the Mo-Kan district shall be combined with those counties that are not associated with any Kansas economic development district: And provided further, That the joint committee on build Kansas may meet and approve any such request while the legislature is in session and in person or through the use of telephone or any other medium for interactive communication.

Sec. 42(d), Sec. 43(b) and (c), Sec. 44(b) and (c), Sec. 45(b) and (c), and Sec. 46(b) and (c) have been line-item vetoed in their entirety.

In the budget that I proposed in January, I included funding to support local communities competing for federal Bipartisan Infrastructure Law (BIL) grant awards, and I continue to support that funding for this purpose. However, the proviso language in these sections sets up a process in which many communities will not be able to compete for one-time federal infrastructure grants. The goal of this funding was to provide matching grants for federal projects for which

communities may or may not be approved. The project award itself is not something that I nor the Legislature have any control over, yet this language appears to indicate that communities would have to seek legislative approval and potentially the approval of two other agencies before applying for the federal funding. As a result, the process for seeking this funding will be so delayed and bureaucratic that few communities will succeed. This is especially true for those smaller and rural communities who in many cases do not have any technical staff or lobbyists in Topeka to help them navigate the process as outlined in this bill.

I encourage the Legislature to work with me and those who have participated in the existing Infrastructure Hub during Omnibus to develop a process that will facilitate the most return on investment for the local communities that this program was designed to assist.

Making the Office of the Kansas State Treasurer a Pregnancy Crisis Center Pass-Through Entity

The portion of Sec. 42(a) that reads as follows has been line-item vetoed:

Alternatives to abortion program.....\$2,000,000

Provided, That expenditures shall be made from the alternatives to abortion program account to establish a statewide program to enhance and increase resources that promote childbirth instead of abortion to women facing unplanned pregnancies and to offer a full range of services, including pregnancy support centers, adoption assistance and maternity homes: Provided further, That the program shall include only the following services: Counseling and mentoring; care coordination for prenatal services, including connecting clients to health programs; providing educational materials and information about pregnancy and parenting; referrals to county and social service programs, including child care, transportation, housing and state and federal benefit programs; classes on life skills, budgeting, parenting, stress management, job training, job placement and obtaining a GED certificate; providing material items including, but not limited to, car seats, cribs, maternity clothes, infant diapers and formula; and support groups in maternity homes: And provided further, That program services shall be made available to any Kansas resident who is a pregnant woman, the biological father of an unborn child, the biological or adoptive parent or legal guardian of a child 24 months of age or younger, a program participant who has experienced the loss of a child or a parent or legal guardian of a pregnant child who is a program participant: And provided further, That the provision and delivery of services under the program shall be dependent on participant needs as assessed by the nonprofit organization providing the services and not otherwise prioritized by any state agency: And provided further, That program services shall be available to participants only during pregnancy and continuing for up to 24 months after birth of the child: And provided further, That the state treasurer shall contract with one nonprofit organization to provide services under the alternatives to abortion program, and such nonprofit organization shall subcontract with existing pregnancy centers, adoption agencies, maternity homes and social service organizations to provide program services to promote childbirth instead of abortion: And provided further, That such contract shall be for a term not longer than one year: And provided further, That the selected contractor and any subcontractors may provide services in addition to the enumerated program services, but such services shall not be funded through the alternatives to abortion program: And provided further, That the state treasurer shall include as a condition of the contract with the nonprofit organization selected to provide program services: (1) The assessment of an administrative fine for failure to satisfy program requirements, including required reporting, or for the intentional or reckless misuse of any funds awarded by the terms of such contract, and such fine shall be in the amount of 10% of the funds awarded by the terms of such contract and shall be deposited into the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the state general fund; and (2) that such nonprofit organization shall submit a report to the legislature and the state treasurer on or before June 30, 2024, on the administration of the program during fiscal year 2024, including: The number of clients; the number of clients who participated in case management services the number of case management hours provided to clients; the number of clients engaged in educational services or job training and placement activities; the number of newborns who were born to program participants; the number of such newborns placed for adoption; the number of fathers who

participated in program services; the number of client satisfaction surveys completed; and any other information that shows the success of the contractor's administration of the program: And provided further, That the state treasurer shall establish the alternatives to abortion public awareness program to be administered by the same nonprofit organization contracted with to provide alternatives to abortion program services: And provided further, That the purpose of the public awareness program is to help pregnant women who are at risk of having abortions to be made aware of the alternatives to abortion program services: And provided further, That the public awareness program shall include the development and promotion of a website that provides a geographically indexed list of available alternatives to abortion program services and nonprofit subcontractors that provide services: And provided further, That the public awareness program may include, but shall not be limited to, the use of television, radio, outdoor advertising, newspapers, magazines, other print media and the internet to provide information about alternatives to abortion program services and subcontractors: And provided further, That, to the greatest extent possible, the secretary for children and families shall supplement and match moneys appropriated for the alternatives to abortion program with federal and other public and private moneys, and such moneys shall be prioritized to be used preferentially for the program and the public awareness program and be transferred from the special revenue fund or funds of the Kansas department for children and families as identified by the secretary for children and families to the alternatives to abortion program account to be expended for such programs: Provided, however, That the alternatives to abortion program and the alternatives to abortion public awareness program and any moneys appropriated or expended therefor shall not be used to perform, induce, assist in the performing or inducing of or refer for abortions, and moneys appropriated or expended for such programs shall not be granted to organizations or affiliates of organizations that perform, induce, assist in the performing or inducing of or refer for abortions.

I do not think that overseeing a state pregnancy crisis center and maternity home program is what the creators of the Office of the State Treasurer intended when that office was established, nor do I think that any State Treasurer in Kansas history would have thought this to be a part of the role of the State Treasurer. This proviso creates a sole source contract for an unknown entity to provide taxpayer funding for largely unregulated pregnancy resource centers. This is not an evidence-based approach or even an effective method for preventing unplanned pregnancies.

Kansas Department of Revenue—Business Closure Rebates

Sec. 72(b) has been vetoed in its entirety, and the portion of Sec. 73(b) that reads as follows has been line-item vetoed:

American rescue plan - state relief (565-00-3756-3536).....\$0

I am vetoing the provisions of the legislation that impose a \$0 expenditure limitation on the use of federal funds intended for the COVID business closure rebates. While I understand the desire to ensure that these funds are used effectively and efficiently, this limitation does not accomplish the intended goal of transferring these federal funds out of the COVID business closure rebates, and the \$0 expenditure limitation effectively prevents the use of these funds for the license plate replacement fund, which was an objective of the legislation.

Kansas Department of Aging and Disability Services—Federal Funding Proviso

The portion of Sec. 89(b) that reads as follows has been line-item vetoed:

Provided, That expenditures shall be made by the above agency for fiscal year 2024 from the American rescue plan state relief fund to expand the PACE program to additional Kansas counties in an amount not to exceed \$2,500,000.

The PACE program is a vital program for seniors in Kansas and I support expanding access to the program. However, I do not believe one-time federal funding should be used for a project that will create ongoing costs. This project should be covered through existing state resources. I will work with advocates to ensure any expansion of the PACE program is financially sustainable long-term.

Kansas Department for Children and Families—Sole Source Contract

Sec. 90(b) has been line-item vetoed in its entirety, and the portion of Sec. 91(a) that reads as follows has been line-item vetoed:

Foster care licensing and placement software.....\$2,500,000

Provided, That during the fiscal year ending June 30, 2024, the above agency shall make expenditures from the above account for the sole purpose of continuing the agency’s request for proposal process for a subscription to a software-as-a-service product to automate the licensing of foster families and the placement of foster children in approved homes and to commence and fund such subscription on or before December 31, 2023.

Having a transparent, competitive bidding process is key to ensuring our state remain a good steward of public dollars. This appropriation fails to do that and creates a sole source contract.

Kansas Board of Regents—Transportation Research Fund

The portion of Sec. 115(b) that reads as follows has been line-item vetoed:

Provided, That expenditures shall be made by the above agency from the transportation research fund to make distributions to Kansas state university, the university of Kansas and Wichita state university for transportation research projects at such institutions.

Sec. 115(i) has been line-item vetoed in its entirety.

The Legislature should fund these research efforts through a different manner, rather than by returning to the practice of diverting state highway funding. My administration is willing to work with those who would like to ensure that innovative transportation research is supported in our higher education institutions, but not by reopening the Bank of KDOT.

Kansas Board of Regents—Comprehensive Grant

The portion of Sec. 115(a) that reads as follows has been line-item vetoed:

Provided, however, That all expenditures from such account shall be made to provide that all moneys shall be distributed in the same proportionate amount as such moneys were distributed in fiscal year 2022.

The portion of Sec. 116(a) that reads as follows has been line-item vetoed:

Provided, however, That all expenditures from such account shall be made to provide that all moneys shall be distributed in the same proportionate amount as such moneys were distributed in fiscal year 2022.

Increasing college affordability and limiting costs to students and families has been a high priority for my administration. To create the most skilled workforce, we need to support students who attend our higher education institutions through enhanced need-based financial aid. The appropriations in Sections 115 and 116 would cut funding for students who have already been awarded scholarships under the Comprehensive Grant program. This will take away scholarships already promised to students who have demonstrated a financial need and instead provide 50% of the allocated funds to only 6% of Kansas students.

Kansas Board of Regents—Diversity, Equity, and Inclusion Proviso

Sec. 115(h) has been vetoed in its entirety.

The hallmark of our higher education system is its commitment to facilitating open dialogue that allows students to learn, grow, and challenge their thinking. Supporting students from all backgrounds, regardless of socio-economic status or geographic location, is vital to creating a well-trained workforce and growing the Kansas economy. The funding restriction in Section 115(h) limits our universities’ efforts to find a skilled workforce that prepares our students for an ever-changing economy, and it limits their ability to support students from all backgrounds throughout their higher education experience. This restriction also threatens our universities’ ability to secure federal funding and competitive grants that fund innovative research, grow our workforce, and bring economic prosperity to Kansas.

Kansas Department of Corrections—Pathways to Purpose Pilot Program

The portion of Sec. 118(a) that reads as follows have been line-item vetoed:

Pathways to purpose pilot program.....\$1,400,000

Provided, That expenditures shall be made by the above agency from the pathways to purpose pilot program account during fiscal year 2024 to implement a pilot program on or before October 1, 2023, to gauge the effectiveness of prescription digital therapeutics authorized by the federal food and drug administration for the treatment of substance use disorder and opioid use disorder on incarcerated adult offenders in the custody of the secretary of corrections: Provided further, That for the purposes of such program, the above agency shall determine the following: (1) Number of

sites at which the pilot program will be conducted including regions that are geographically diverse; (2) eligibility requirements for pilot program participants; and (3) specific types of prescription digital therapeutics that will be prescribed and evaluated under the pilot program as authorized by the federal food and drug administration for the treatment of substance use disorder and opioid use disorder: And provided further, That as used in this subsection, "prescription digital therapeutics authorized by the federal food and drug administration" or "prescription digital therapeutics" means a product, device, internet application or other technology that is intended to prevent, manage or treat a medical disease, condition or disorder, is approved, cleared or classified by the food and drug administration under 21 U.S.C. 360(k), 21 U.S.C. 360c(f) or 21 U.S.C. 360e for such intended use, utilizes both cognitive behavior therapy and contingency management to treat substance use disorder and opioid use disorder, and requires a prescription under 21 C.F.R. § 801.109

I have worked with the Legislature to support substance use treatment programs in our correctional facilities and have done so through funding that has been approved in a bipartisan, transparent process. An open, competitive bidding process is key to ensuring that our state contracts provide the most value to Kansas taxpayers. This appropriation fails to do that by creating strict requirements that would likely favor a single vendor.

Kansas Department of Wildlife and Parks—Lifetime Hunting and Fishing License

Sec. 138(f) has been line-item vetoed in its entirety.

Last year, I signed bipartisan House Bill 2456, which created a lifetime hunting and fishing license for youth between the ages of birth to 7 years. This legislation included pro-rated fees based on estimates for how much the agency would need to offset the corresponding loss of license revenue over the course of the child's life. If the Legislature would like to pass this type of funding allowance, it should work with the Department of Wildlife and Parks to ensure that a measure that seeks to increase healthy outdoor activities—like hunting and fishing—does not at the same time undermine the long-term financial viability of the agency responsible for encouraging and facilitating outdoor activities.

Federal Grant Funding Database

Sec. 143 has been line-item vetoed in its entirety.

Regarding discretionary grant awards, much of this information is already available. This also could have a detrimental effect on encouraging new and smaller communities from applying and lead to cybersecurity risks. Initial applicants often have missing or insufficient information, yet they may be approved in future years after working with staff to improve their proposal. If applicants know that their unsuccessful attempts will be shared, it will discourage many from applying. This language is also ambiguous and could risk requiring the creation of a massive bureaucracy to track all state and federal funds that are awarded prior to a final award. I would encourage the Legislature to work with my administration to determine if there is additional information needed and how to provide that in a way that would not grow government unnecessarily."

Motions were made that, notwithstanding the Governor's objections, the following line items vetoed in **HB 2184** be reconsidered:

Section 15(b) By a vote of 82 Yeas and 42 Nays, the motion having *failed to receive* the necessary two-thirds constitutional majority vote of the elected members of the House of Representatives, and the line item *did not* pass..

Section 39(e) By a vote of 85 Yeas and 39 Nays, the motion having *received* the necessary two-thirds constitutional majority vote of the elected members of the House of Representatives, and the line item *did* pass..

Portion of Section 42(a) By a vote of 86 Yeas and 38 Nays, the motion having *received* the necessary two-thirds constitutional majority vote of the elected members of

the House of Representatives, and the line item *did* pass.

Portion of Section 115(a) and portion of Section 116(a) By a vote of 76 Yeas and 48 Nays, the motion having *failed to receive* the necessary two-thirds constitutional majority vote of the elected members of the House of Representatives, and the line item *did not* pass.

Section 115(h) By a vote of 79 Yeas and 45 Nays, the motion having *failed to receive* the necessary two-thirds constitutional majority vote of the elected members of the House of Representatives, and the line item *did not* pass..

Section 138(f) By a vote of 84 Yeas and 40 Nays, the motion having *received* the necessary two-thirds constitutional majority vote of the elected members of the House of Representatives, and the line item *did* pass..

Section 143 By a vote of 84 Yeas and 40 Nays, the motion having *received to receive* the necessary two-thirds constitutional majority vote of the elected members of the House of Representatives, and the line item *did* pass..

There being no motion on the remaining vetoed line items, the line-item vetoes were sustained on those items.

Announcing the House here with transmits certificate of action by the House of Representatives on **SB 228**, AN ACT concerning counties; requiring the secretary for aging and disability services to reimburse counties for certain costs when a person is in a county jail awaiting examination, evaluation or treatment for competency; relating to county jails; removing the requirement that every county shall have a jail; modernizing requirements related to food, drink and medical care for prisoners and jail records; modifying procedures used when district courts commit prisoners to jail in another county and when counties contract with city jails or other county jails to keep prisoners; requiring a medical examination before certain United States prisoners or city prisoners are taken into custody of a county jail; amending K.S.A. 19-1901, 19-1903, 19-1904, 19-1905, 19-1910, 19-1911, 19-1916, 19-1917, 19-1927, 19-1929 and 19-1930 and repealing the existing sections; also repealing K.S.A. 19-1906, 19-1907, 19-1908, 19-1912, 19-1913, 19-1914 and 19-1915.

The veto message from the Governor having been received, a motion was made that not withstanding the Governor's objection to **SB 228**, the bill be passed. By a vote of 87 Yeas and 37 Nays, the motion having received the required two-thirds constitutional majority of the members elected or appointed to the House of Representatives, voting in the affirmative, the bill passed.

The House adopts the Conference Committee report to agree to disagree on **HB 2089**, and has appointed Representatives Williams, K., Landwehr and Poskin as Second conferees on the part of the House.

Announcing the House here with transmits the veto message from the Governor on **House Bill 2304** AN ACT concerning education; relating to firearms; standardizing firearm safety education training programs in school districts. was received on April 14, 2023 and read on April 24, 2023.

“Kansas law makes it clear that it is the role of local school boards and the State Board of Education to establish curriculum and educational standards for our students.

This bill is yet again an act of legislative overreach, an attempt to override our locally elected leaders and insert partisan politics into our children's education.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto House Bill 2304.”

A motion was made that **HB 2304** be passed notwithstanding the Governor's veto. By a vote of 83 Yeas and 41 Nays, the motion failed to receive the required two-thirds constitutional majority of the elected members or appointed to the House of Representatives and the veto was sustained.

Announcing the House here with transmits a message of action by the House of Representatives on **SB 180**, AN ACT establishing the women's bill of rights; providing a meaning of biological sex for purposes of statutory construction.

The veto message from the Governor having been received, a motion was made that notwithstanding the Governor's objection to **SB 180**, the bill be passed. By a vote of 84 Yeas and 40 Nays, the motion having received the required two-thirds constitutional majority of the members elected or appointed to the House of Representatives, voting in the affirmative, the bill passed.

Announcing the House here with transmits the veto message from the Governor on **Senate Substitute HB 2344**, AN ACT concerning the department of health and environment; relating to licensure of child care facilities; day care homes and child care centers; establishing license capacity and staff-to-child ratios; lowering license fees and training requirements; creating a process for day care facility licensees to apply for a temporary waiver of certain statutory requirements; authorizing the secretary to develop and operate pilot programs to increase child care facility availability and capacity; amending K.S.A. 65-503, 65-505 and 65-508 and K.S.A. 2022 Supp. 48-3406 and repealing the existing sections, were received April 19, 2023 and read on April 24, 2023.

“As I said in my State of the State address, my North Star as Governor is to make Kansas the best place to raise a family. Key to that is ensuring parents have access to safe, affordable, quality childcare.

This bill would reverse the progress we've made toward that goal, loosening safety requirements for childcare centers, and preventing the state from being responsive to individual communities' needs.

While I agree it's time to review our childcare policies, we must do it together and in a way that improves, not harms, our state's ability to help families and keep kids safe.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **House Bill 2344.**”

A motion was made that **S Sub HB 2344** be passed notwithstanding the Governor's veto. By a vote of 81 Yeas and 42 Nays, the motion failed to receive the required two-thirds constitutional majority of the elected members or appointed to the House of Representatives and the veto was sustained.

Announcing the House here with transmits the veto message from the Governor on **HB 2236**, AN ACT concerning education; relating to school districts; establishing parents' right to direct the education and upbringing of their children including the right to object to educational materials and activities that are not included in approved curriculum or standards or impair a parent's beliefs, values or principles, was received on April 24, 2023 and read on April 25, 2023.

“Parents and teachers across Kansas want the same thing - for our kids to get the best education possible.

This bill distracts from that goal, inserting partisan politics into the classroom at the expense of our students, parents, and teachers.

The best thing we can do for our students is work together to continue fully funding public education and ensure they have the resources and support to succeed. We can't do that if we are forced to spend millions of dollars on expensive lawsuits.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **House Bill 2236.**”

A motion was made that **HB 2236** be passed notwithstanding the Governor's veto. By a vote of 78 Yeas and 45 Nays, the motion failed to receive the required two-thirds constitutional majority of the elected members or appointed to the House of Representatives and the veto was sustained.

The House adopts the Conference Committee report to agree to disagree on **HB 2285**, and has appointed Representatives W. Carpenter, Humphries and Hoye as Second conferees on the part of the House.

The House announced the appointment of Representative Winn to replace Representative Poskin as a conferee on **HB 2089**.

The House announced the appointment of Representative Winn to replace Representative Poskin as a conferee on **H Sub SB 113**.

ACTIONS ON VETO MESSAGE

HB 2184, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2023, June 30, 2024, June 30, 2025, June 30, 2026, June 30, 2027, and June 30, 2028, 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; authorizing and directing payment of certain claims against the state; amending K.S.A. 2-223, 12-1775a and 12-5256 and K.S.A. 2022 Supp. 65-180, 74-50,107, 74-8711, 74-99b34, 75-2263, 75-6707, 76-775, 76-7,107, 79-2959, 79-2964, 79-3425i, 79-34,171 and 79-4804 and repealing the existing sections

A motion was made by Senator Claeys that **HB 2184** Sec 39(e) be passed not withstanding the Governor's line-item veto.

Attorney General—Master Tobacco Settlement Funds

Sec. 39(e) has been vetoed in its entirety.

On roll call, the vote was: Yeas 28; Nays 11; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Present and Passing: McGinn.

A two-thirds constitutional majority having voted in favor of overriding the Governor's line-item veto, the motion prevailed.

A motion was made by Senator Claeys that **HB 2184** Sec 42 (a) be passed not withstanding the Governor's line-item veto.

Making the Office of the Kansas State Treasurer a Pregnancy Crisis Center Pass-Through Entity

The portion of Sec. 42(a) that reads as follows has been line-item vetoed:

Alternatives to abortion program.....\$2,000,000

Provided, That expenditures shall be made from the alternatives to abortion program account to establish a statewide program to enhance and increase resources that promote childbirth instead of abortion to women facing unplanned pregnancies and to offer a full range of services, including pregnancy support centers, adoption assistance and maternity homes: Provided further, That the program shall include only the following services: Counseling and mentoring; care coordination for prenatal services, including connecting clients to health programs; providing educational materials and information about pregnancy and parenting; referrals to county and social service programs, including child care, transportation, housing and state and federal benefit programs; classes on life skills, budgeting, parenting, stress management, job training, job placement and obtaining a GED certificate; providing material items including, but not limited to, car seats, cribs, maternity clothes, infant diapers and formula; and support groups in maternity homes: And provided further, That program services shall be made available to any Kansas resident who is a pregnant woman, the biological father of an unborn child, the biological or adoptive parent or legal guardian of a child 24 months of age or younger, a program participant who has experienced the loss of a child or a parent or legal guardian of a pregnant child who is a program participant: And provided further, That the provision and delivery of services under the program shall be dependent on participant needs as assessed by the nonprofit organization providing the services and not otherwise prioritized by any state agency: And provided further, That program services shall be available to participants only during pregnancy and continuing for up to 24 months after birth of the child: And provided further, That the state treasurer shall contract with one nonprofit organization to provide services under the alternatives to abortion program, and such nonprofit organization shall subcontract with existing pregnancy centers, adoption agencies, maternity homes and social service organizations to provide program services to promote childbirth instead of abortion:

And provided further, That such contract shall be for a term not longer than one year: And provided further, That the selected contractor and any subcontractors may provide services in addition to the enumerated program services, but such services shall not be funded through the alternatives to abortion program: And provided further, That the state treasurer shall include as a condition of the contract with the nonprofit organization selected to provide program services: (1) The assessment of an administrative fine for failure to satisfy program requirements, including required reporting, or for the intentional or reckless misuse of any funds awarded by the terms of such contract, and such fine shall be in the amount of 10% of the funds awarded by the terms of such contract and shall be deposited into the state treasury in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, to the credit of the state general fund; and (2) that such nonprofit organization shall submit a report to the legislature and the state treasurer on or before June 30, 2024, on the administration of the program during fiscal year 2024, including: The number of clients; the number of clients who participated in case management services the number of case management hours provided to clients; the number of clients engaged in educational services or job training and placement activities; the number of newborns who were born to program participants; the number of such newborns placed for adoption; the number of fathers who participated in program services; the number of client satisfaction surveys completed; and any other information that shows the success of the contractor's administration of the program: And provided further, That the state treasurer shall establish the alternatives to abortion public awareness program to be administered by the same nonprofit organization contracted with to provide alternatives to abortion program services: And provided further, That the purpose of the public awareness program is to help pregnant women who are at risk of having abortions to be made aware of the alternatives to abortion program services: And provided further, That the public awareness program shall include the development and promotion of a website that provides a geographically indexed list of available alternatives to abortion program services and nonprofit subcontractors that provide services: And provided further, That the public awareness program may include, but shall not be limited to, the use of television, radio, outdoor advertising, newspapers, magazines, other print media and the internet to provide information about alternatives to abortion program services and subcontractors: And provided further, That, to the greatest extent possible, the secretary for children and families shall supplement and match moneys appropriated for the alternatives to abortion program with federal and other public and private moneys, and such moneys shall be prioritized to be used preferentially for the program and the public awareness program and be transferred from the special revenue fund or funds of the Kansas department for children and families as identified by the secretary for children and families to the alternatives to abortion program account to be expended for such programs: Provided, however, That the alternatives to abortion program and the alternatives to abortion public awareness program and any moneys appropriated or expended therefor shall not be used to perform, induce, assist in the performing or inducing of or refer for abortions, and moneys appropriated or expended for such programs shall not be granted to organizations or affiliates of organizations that perform, induce, assist in the performing or inducing of or refer for abortions.

On roll call, the vote was: Yeas 29; Nays 11; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

A two-thirds constitutional majority having voted in favor of overriding the Governor's line-item veto, the motion prevailed.

A motion was made by Senator Claeys that **HB 2184** Sec 138(f) be passed not withstanding the Governor's line-item veto.

Kansas Department of Wildlife and Parks—Lifetime Hunting and Fishing License Sec. 138(f) has been line-item vetoed in its entirety.

On roll call, the vote was: Yeas 21; Nays 17; Present and Passing 2; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Claeys, Erickson, Fagg, Gossage, Masterson, O'Shea, Peck, Petersen, Pittman, Pyle, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Kerschen, Longbine, McGinn, Olson, Pettey, Reddi, Sykes, Ware.

Present and Passing: Kloos, Ryckman.

The line-item veto was sustained.

A motion was made by Senator Claeys that **HB 2184** Sec 143 be passed not withstanding the Governor's line-item veto.

Federal Grant Funding Database

Sec. 143 has been line-item vetoed in its entirety.

On roll call, the vote was: Yeas 28; Nays 11; Present and Passing 0; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pyle, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Pittman, Reddi, Sykes, Ware.

Absent or Not Voting: Ryckman.

A two-thirds constitutional majority having voted in favor of overriding the Governor's line-item veto, the motion prevailed.

On motion of Senator Alley, the Senate recessed until 4:30 p.m.

The Senate met pursuant to recess with Vice President Wilborn in the chair.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **SB 174**.

The House adopts the Conference Committee report on **Sub SB 131**.

The House adopts the Conference Committee report on **HB 2002**.

The House adopts the Conference Committee report on **S Sub HB 2060**.

ORIGINAL MOTIONS

Senator Alley moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bills: **Sub SB 131; SB 174.**

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 131** 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 3, by striking all in lines 14 through 43;

By striking all on page 4;

On page 5, by striking all in lines 1 through 26; following line 26, by inserting:

"New Sec. 2. (a) Within 15 business days after receipt of an application for any license, registration, permit or certificate issued by the behavioral sciences regulatory board, the board shall notify the applicant whether the board believes that the application is complete. If the application is determined to be incomplete, the board shall notify the applicant of the information needed in order to complete the application. Once the application is determined to be complete, the board shall complete the review of the application and issue a decision thereon within 30 business days.

(b) (1) The behavioral sciences regulatory board shall adopt rules and regulations to establish an expedited application process for any license, registration, permit or certificate issued by the board. Upon request on the application to expedite the processing of such application and payment of the fee, the board shall complete the review of the application and issue a decision thereon within 15 business days.

(2) (A) The board shall set the fee for an expedited application process by adopting rules and regulations. Such fee shall be in addition to any other fee established for the application but shall not exceed \$100. The board shall not charge such fee for an expedited application process to any applicant who is a military servicemember or military spouse.

(B) As used in this paragraph:

(i) "Military servicemember" means a current member of the army, navy, marine corps, air force, coast guard, space force, air or army national guard of any state or any branch of the military reserves of the United States or a former member who separated from service by honorable discharge or general discharge under honorable conditions.

(ii) "Military spouse" means the spouse of an individual who is a current member of the army, navy, marine corps, air force, coast guard, space force, air or army national guard of any state or any branch of the military reserves of the United States.";

On page 6, following line 30, by inserting:

"Sec. 4. K.S.A. 65-5802 is hereby amended to read as follows: 65-5802. As used in the professional counselors licensure act:

(a) "Assessment" means selecting, administering, scoring and interpreting instruments designed to describe an individual's aptitudes, abilities, achievements, interests and personal characteristics.

(b) "Board" means the behavioral sciences regulatory board created by K.S.A. 74-7501, and amendments thereto.

(c) "Consultation" means the application of principles, methods and techniques of the practice of counseling to assist in solving current or potential problems of individuals or groups in relation to a third party.

(d) "Extenuating circumstances" means any condition or situation caused by events beyond an individual's control that is sufficiently extreme in nature to result in the:

(1) Individual's inability to comply with requirements; or

(2) inadvisability of requiring the individual to comply with requirements.

(e) "Licensed clinical professional counselor" means a person who engages in the independent practice of professional counseling including the diagnosis and treatment of mental disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the board by rules and regulations and who is licensed under this act.

(f) "Licensed professional counselor" means a person who is licensed under this act and who engages in the practice of professional counseling only under the direction of a licensed clinical professional counselor, a licensed psychologist, a person licensed to practice medicine and surgery or a person licensed to provide mental health services as an independent practitioner and whose licensure allows for the diagnosis and treatment of mental disorders.

(b)(g) "Practice of professional counseling" means assisting an individual or group for a fee, monetary or otherwise, through counseling, assessment, consultation and referral and includes the diagnosis and treatment of mental disorders as authorized under the professional counselors licensure act.

(e)(h) "Professional counseling" means to assist an individual or group to develop understanding of personal strengths and weaknesses, to restructure concepts and feelings, to define goals and to plan actions as these are related to personal, social, educational and career development and adjustment.

~~(d) "Assessment" means selecting, administering, scoring and interpreting instruments designed to describe an individual's aptitudes, abilities, achievements, interests and personal characteristics.~~

~~(e) "Consultation" means the application of principles, methods and techniques of the practice of counseling to assist in solving current or potential problems of individuals or groups in relation to a third party.~~

~~(f)(i) "Referral" means the evaluation of information to identify problems and to determine the advisability of referral to other practitioners.~~

~~(g) "Licensed professional counselor" means a person who is licensed under this act and who engages in the practice of professional counseling except that on and after January 1, 2002, such person shall engage in the practice of professional counseling only under the direction of a licensed clinical professional counselor, a licensed psychologist, a person licensed to practice medicine and surgery or a person licensed to provide mental health services as an independent practitioner and whose licensure allows for the diagnosis and treatment of mental disorders.~~

~~(h) "Licensed clinical professional counselor" means a person who engages in the independent practice of professional counseling including the diagnosis and treatment of mental disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the board by rules and regulations and who is licensed under this act.~~

Sec. 5. K.S.A. 2022 Supp. 65-5804a is hereby amended to read as follows: 65-

5804a. (a) Applications for licensure as a professional counselor shall be made to the board on a form and in the manner prescribed by the board. Each application shall be accompanied by the fee-fixed set under K.S.A. 65-5808, and amendments thereto.

(b) Each applicant for licensure as a professional counselor shall furnish evidence satisfactory to the board that the applicant:

(1) Is at least 21 years of age;

(2) has completed 60 graduate semester hours including a graduate degree in counseling or a related field from a college or university approved by the board and that includes 45 graduate semester hours of counseling coursework distributed among each of the following areas:

- (A) Counseling theory and practice;
- (B) the helping relationship;
- (C) group dynamics, processing and counseling;
- (D) human growth and development;
- (E) lifestyle and career development;
- (F) appraisal of individuals;
- (G) social and cultural foundations;
- (H) research and evaluation;
- (I) professional orientation; and
- (J) supervised practicum and internship;

(3) has passed an examination required by the board; and

(4) has satisfied the board that the applicant is a person who merits the public trust.

(c) (1) Applications for licensure as a clinical professional counselor shall be made to the board on a form and in the manner prescribed by the board. Each applicant shall furnish evidence satisfactory to the board that the applicant:

(A) Is licensed by the board as a licensed professional counselor or meets all requirements for licensure as a licensed professional counselor;

(B) has completed 15 credit hours, as part of or in addition to the requirements under subsection (b), supporting diagnosis or treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual through identifiable study of the following content areas: Psychopathology, diagnostic assessment, interdisciplinary referral and collaboration, treatment approaches and professional ethics;

(C) has completed a graduate level supervised clinical practicum of supervised professional experience including psychotherapy and assessment with individuals, couples, families or groups, integrating diagnosis and treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual, with not less than 280 hours of direct client contact or additional postgraduate supervised experience as determined by the board;

(D) has completed not less than two years of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 3,000 hours of supervised professional experience, including at least 1,500 hours of direct client contact conducting psychotherapy and assessments with individuals, couples, families or groups and not less than 100 hours of face-to-face clinical supervision, as defined by the board in rules and regulations, including not less than 50 hours of individual supervision, except that the board may waive the requirement that such supervision be face-to-face upon a finding of extenuating

circumstances, integrating diagnosis and treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual, except that the board may waive $\frac{1}{2}$ of the hours required by this subparagraph for an individual who has a doctoral degree in professional counseling or a related field approved by the board and who completes the required $\frac{1}{2}$ of the hours in not less than one year of supervised professional experience;

(E) for persons who earned a degree under subsection (b) prior to July 1, 2003, in lieu of the education requirements under subparagraphs (B) and (C), has completed the education requirements for licensure as a professional counselor in effect on the day immediately preceding the effective date of this act;

(F) for persons who apply for and are eligible for a temporary permit to practice as a licensed professional counselor on the day immediately preceding the effective date of this act, in lieu of the education and training requirements under subparagraphs (B), (C) and (D), has completed the education and training requirements for licensure as a professional counselor in effect on the day immediately preceding the effective date of this act;

(G) has passed an examination approved by the board; and

(H) has paid the application fee ~~fixed set~~ under K.S.A. 65-5808, and amendments thereto.

(2) A person who was licensed or registered as a professional counselor in Kansas at any time prior to the effective date of this act, who has been actively engaged in the practice of professional counseling as a registered or licensed professional counselor within five years prior to the effective date of this act and whose last license or registration in Kansas prior to the effective date of this act was not suspended or revoked, upon application to the board, payment of fees pursuant to K.S.A. 65-5808, and amendments thereto, and completion of applicable continuing education requirements, shall be licensed as a licensed clinical professional counselor by providing demonstration of competence to diagnose and treat mental disorders through at least two of the following areas acceptable to the board:

(A) Either: (i) Graduate coursework; or (ii) passing a national, clinical examination;

(B) either: (i) Three years of clinical practice in a community mental health center, its contracted affiliate or a state mental hospital; or (ii) three years of clinical practice in other settings with demonstrated experience in diagnosing or treating mental disorders; or

(C) attestation from one professional licensed to diagnose and treat mental disorders in independent practice or licensed to practice medicine and surgery that the applicant is competent to diagnose and treat mental disorders.

(3) A licensed clinical professional counselor may engage in the independent practice of professional counseling and is authorized to diagnose and treat mental disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the board by rules and regulations. When a client has symptoms of a mental disorder, a licensed clinical professional counselor shall consult with the client's primary care physician or psychiatrist to determine if there may be a medical condition or medication that may be causing or contributing to the client's symptoms of a mental disorder. A client may request in writing that such consultation be waived and such request shall be made a part of the client's record. A licensed clinical professional counselor may continue to

evaluate and treat the client until such time that the medical consultation is obtained or waived.

(4) A licensed professional counselor may diagnose and treat mental disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the board by rules and regulations only under the direction of a licensed clinical professional counselor, licensed psychologist, person licensed to practice medicine and surgery or person licensed to provide mental health services as an independent practitioner and whose licensure allows for the diagnosis and treatment of mental disorders. When a client has symptoms of a mental disorder, a licensed professional counselor shall consult with the client's primary care physician or psychiatrist to determine if there may be a medical condition or medication that may be causing or contributing to the client's symptoms of a mental disorder. A client may request in writing that such consultation be waived and such request shall be made a part of the client's record. A licensed professional counselor may continue to evaluate and treat the client until such time that the medical consultation is obtained or waived.

(d) The board shall adopt rules and regulations establishing the criteria that a college or university shall satisfy in order to be approved by the board. The board may send a questionnaire developed by the board to any college or university for which the board does not have sufficient information to determine whether the school meets the requirements for approval and rules and regulations adopted under this section. The questionnaire providing the necessary information shall be completed and returned to the board in order for the college or university to be considered for approval. The board may contract with investigative agencies, commissions or consultants to assist the board in obtaining information about colleges and universities. In entering such contracts, the authority to approve college and universities shall remain solely with the board.

(e) A person who is waiting to take the examination required by the board may apply to the board for a temporary professional counselor license to practice as a licensed professional counselor by:

(1) Paying an application fee of not more than \$150; and

(2) meeting the application requirements as stated in K.S.A. 65-5804a(b)(1), (2) and (4), and amendments thereto.

(f) (1) A temporary professional counselor license may be issued by the board after the application has been reviewed and approved by the board and the applicant has paid the appropriate fee set by the board for issuance of a temporary license.

(2) Absent extenuating circumstances approved by the board, a temporary professional counselor license issued by the board shall expire upon the date the board issues or denies a license to practice professional counseling or ~~12~~ 24 months after the date of issuance of the temporary license. No temporary license will be renewed or issued again on any subsequent application for the same license level. The preceding provisions in no way limit the number of times an applicant may take the examination.

(g) A person practicing professional counseling with a temporary professional counselor license may not use the title "licensed professional counselor" or the initials "LPC" independently. The word "licensed" may be used only when followed by the words "by temporary license," such as licensed professional counselor by temporary license, or professional counselor licensed by temporary license.

(h) No person may practice professional counseling under a temporary professional

counselor license except under the supervision of a person licensed by the behavioral sciences regulatory board at the independent level.

(i) Nothing in this section shall affect any temporary license to practice issued under this section prior to the effective date of this act and in effect on the effective date of this act. Such temporary license shall be subject to the provisions of this section in effect at the time of its issuance and shall continue to be effective until the date of expiration of the temporary license provided under this section at the time of issuance of such temporary license.

(j) (1) An individual may apply to the board for a community-based professional counselor license to practice professional counseling in the scope of employment by a community mental health center, as defined in K.S.A. 39-2002, and amendments thereto, a federally qualified health center, as defined in K.S.A. 65-7402, and amendments thereto, a psychiatric residential treatment facility as defined in K.S.A. 39-2002, and amendments thereto, or a private treatment facility as defined in K.S.A. 59-29b46, and amendments thereto.

(2) A community-based professional counselor license may be issued by the board after the board reviews and approves the application and the applicant has paid the fee set by the board for issuance of a community-based professional counselor license.

(3) (A) Absent extenuating circumstances approved by the board, a community-based professional counselor license issued by the board shall expire:

(i) Upon the date the board issues or denies a license to practice professional counseling; or

(ii) 24 months after the date of issuance of the community-based professional counselor license.

(B) No community-based professional counselor license shall be renewed or issued again on any subsequent application for the same license level. This paragraph shall not be construed to limit the number of times an applicant may take the examination.

(4) A person practicing professional counseling with a community-based professional counselor license may use the title "licensed professional counselor" or the initials "LPC" independently.

(5) No person may practice professional counseling under a community-based professional counselor license except under the supervision of a person licensed by the board to practice at the independent level.

(6) The board shall not issue a community-based professional counselor license or temporary professional counselor license to an individual who has previously been issued a community-based professional counselor license or temporary professional counselor license.

Sec. 6. K.S.A. 65-5806 is hereby amended to read as follows: 65-5806. (a) An applicant who meets the requirements for licensure pursuant to ~~this the professional counselors licensure~~ act, has paid the license fee provided for by K.S.A. 65-5808, and amendments thereto, and has otherwise complied with the provisions of this act shall be licensed by the board.

(b) Licenses issued pursuant to this act shall expire 24 months from the date of issuance unless revoked prior to that time. A license may be renewed upon application and payment of the fee provided for by K.S.A. 65-5808, and amendments thereto. The application for renewal shall be accompanied by evidence satisfactory to the board that the applicant has completed during the previous 24 months the continuing education

required by rules and regulations of the board. Prior to July 1, 2025, as part of such continuing education, a licensee shall complete not less than six continuing education hours relating to diagnosis and treatment of mental disorders and not less than three continuing education hours of professional ethics. On and after July 1, 2025, as part of such continuing education, a licensee shall complete not less than three continuing education hours relating to diagnosis and treatment of mental disorders and not less than three continuing education hours of professional ethics.

(c) (1) A licensee who is unable to complete the required continuing education hours for renewal may request additional time to complete any remaining continuing education hours. Such request shall be made to the board not later than 30 calendar days prior to the expiration of the license and shall include:

(A) The licensee's reason for requesting additional time, showing extenuating circumstances for why the hours could not be completed during the license period; and

(B) a plan outlining the manner in which the licensee intends to complete the remaining continuing education hours.

(2) The board may grant a licensee up to three additional months beyond the license expiration date to complete the required continuing education hours.

(3) A licensee who receives additional time to complete continuing education hours under this subsection shall:

(A) Renew the license prior to the license expiration date and report to the board the number of continuing education hours completed on such date;

(B) notify the board upon completing the remaining continuing education hours; and

(C) be subject to an audit by the board of the total number of continuing education hours completed for the applicable license period.

(4) Continuing education hours completed during additional time granted under this subsection shall be credited only toward the requirements for the license period for which additional time is granted.

(5) A licensee shall not be approved for additional time to complete continuing education requirements in consecutive license periods.

(d) A person whose license has been suspended or revoked may make written application to the board requesting reinstatement of the license upon termination of the period of suspension or revocation in a manner prescribed by the board, ~~which and such~~ application shall be accompanied by the fee provided for by K.S.A. 65-5808, and amendments thereto.

(e) (1) A person whose license has expired may make written application to the board requesting reinstatement of the license in a manner prescribed by the board, and such application shall be accompanied by:

(A) The renewal fee established under K.S.A. 65-5808, and amendments thereto, and, for any person whose license has been expired for one year or less, an additional fee equal to the renewal fee; and

(B) evidence satisfactory to the board that the person has completed during the previous 24 months the continuing education requirements for one license period.

(2) A person requesting to reinstate a license that has been expired for longer than one year who has not completed the necessary continuing education hours for reinstatement may submit an application for a six-month reinstatement temporary license in a manner prescribed by the board, and such application shall be accompanied

by the fee as provided by K.S.A. 65-5808, and amendments thereto. A licensee practicing under a six-month reinstatement temporary license shall complete the continuing education requirements required for a permanent license prior to the expiration of the temporary license and notify the board upon such completion. A six-month reinstatement temporary license shall not be extended or renewed.

~~(d)~~(f) Within 30 days after any change of permanent address, a licensee shall notify the board of such change.

Sec. 7. K.S.A. 2022 Supp. 65-5807 is hereby amended to read as follows: 65-5807.

(a) The board may issue a license to an individual who is currently registered, certified or licensed to practice professional counseling in another jurisdiction if the board determines that:

(1) The standards for registration, certification or licensure to practice professional counseling in the other jurisdiction are substantially equivalent to the requirements of this state; or

(2) the applicant demonstrates on forms provided by the board compliance with the following standards as adopted by the board:

(A) Registration, certification or licensure to practice professional counseling with a similar scope of practice for at least ~~48~~ of the last ~~54~~ 12 months immediately preceding the application ~~with at least the minimum professional experience as established by rules and regulations of the board;~~

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency; and

(C) at least a master's degree in counseling or a related field from a regionally accredited university or college.

(b) Applicants for licensure as a clinical professional counselor shall additionally demonstrate competence to diagnose and treat mental disorders through meeting the requirements of either subsection (a)(1) or (a)(2) and at least two of the following areas acceptable to the board:

(1) Either graduate coursework as established by rules and regulations of the board or passing a national clinical examination approved by the board;

(2) three years of clinical practice with demonstrated experience in diagnosing or treating mental disorders; or

(3) attestation from a professional licensed to diagnose and treat mental disorders in independent practice or licensed to practice medicine and surgery stating that the applicant is competent to diagnose and treat mental disorders.

(c) An applicant for a license under this section shall pay an application fee established by the board under K.S.A. 65-5808, and amendments thereto, if required by the board. Upon notification from the board that all eligibility requirements have been satisfied, the applicant shall submit the license fee as provided by K.S.A. 65-5808, and amendments thereto.

Sec. 8. K.S.A. 2022 Supp. 65-5808 is hereby amended to read as follows: 65-5808.

(a) The board may ~~fix~~ collect the following fees, and any such fees shall be established by rules and regulations adopted by the board:

(1) For application for licensure as a professional counselor, not more than \$100;

(2) for an original license as a professional counselor, not more than \$175;

(3) for a temporary license as a professional counselor, not more than \$175;

(4) for a six-month reinstatement temporary license as a professional counselor, not

more than \$50:

- (5) for renewal for licensure as a professional counselor, not more than \$150;
 - ~~(5)~~(6) for application for licensure as a clinical professional counselor, not more than \$175;
 - ~~(6)~~(7) for licensure as a clinical professional counselor, not more than \$175;
 - ~~(7)~~(8) for renewal for licensure as a clinical professional counselor, not more than \$175;
 - (9) for a six-month reinstatement temporary license as a clinical professional counselor, not more than \$50;
 - ~~(8)~~(10) for a community-based professional counselor license, not more than \$175;
 - (11) for late renewal penalty, an amount equal to the fee for renewal of a license;
 - ~~(9)~~(12) for reinstatement of a license, not more than \$175;
 - ~~(10)~~(13) for replacement of a license, not more than \$20;
 - ~~(11)~~(14) for a wallet card license, not more than \$5; and
 - ~~(12)~~(15) for application as a board-approved clinical supervisor, not more than \$50.
- (b) Fees paid to the board are not refundable.

Sec. 9. K.S.A. 65-6302 is hereby amended to read as follows: 65-6302. As used in ~~this the social workers licensure act, unless the context clearly requires otherwise, the following words and phrases shall have the meaning ascribed to them in this section:~~

- (a) "Board" means the behavioral sciences regulatory board created by K.S.A. 74-7501, and amendments thereto.
- (b) "Extenuating circumstances" means any condition or situation caused by events beyond a person's control that is sufficiently extreme in nature to result in the:
 - (1) Person's inability to comply with requirements; or
 - (2) inadvisability of requiring the person to comply with requirements.
- (c) "Psychotherapy" means the use of psychological and social methods within a professional relationship to assist the person or persons to achieve a better psychosocial adaptation to acquire greater human realization of psychosocial potential and adaptation to modify internal and external conditions that affect individuals, groups or communities in respect to behavior, emotions and thinking and in respect to their intra-personal and inter-personal processes. Forms of "psychotherapy" include, but are not limited to, individual psychotherapy, conjoint marital therapy, family therapy and group psychotherapy.
- (d) "Social work practice" means the professional activity of helping individuals, groups or communities enhance or restore their capacity for physical, social and economic functioning and the professional application of social work values, principles and techniques in areas such as psychotherapy, social service administration, social planning, social work consultation and social work research to one or more of the following ends: Helping people obtain tangible services; counseling with individuals, families and groups; helping communities or groups provide or improve social and health services; and participating in relevant social action. The practice of social work requires knowledge of human development and behavior; of social, economic and cultural institutions and forces; and of the interaction of all these factors. Social work practice includes the teaching of practicum courses in social work and includes the diagnosis and treatment of mental disorders as authorized under K.S.A. 65-6306 and 65-6319, and amendments thereto.
- (e) ~~"Psychotherapy" means the use of psychological and social methods within a~~

professional relationship, to assist the person or persons to achieve a better psychosocial adaptation to acquire greater human realization of psychosocial potential and adaptation; to modify internal and external conditions which affect individuals, groups or communities in respect to behavior, emotions and thinking, in respect to their intra-personal and inter-personal processes. Forms of psychotherapy include but are not restricted to individual psychotherapy, conjoint marital therapy, family therapy and group psychotherapy.

Sec. 10. K.S.A. 2022 Supp. 65-6306 is hereby amended to read as follows: 65-6306. (a) The board shall issue a license as a baccalaureate social worker to an applicant who has:

(1) A baccalaureate degree from an accredited college or university, including completion of a social work program recognized and approved by the board, pursuant to rules and regulations adopted by the board;

(2) passed an examination approved by the board for this purpose; ~~and~~

(3) satisfied the board that the applicant is a person who merits the public trust; ~~and~~

(4) paid an application fee established by the board under K.S.A. 65-6314, and amendments thereto, and, upon notification from the board that all eligibility requirements have been satisfied, the license fee established by the board pursuant to K.S.A. 65-5808, and amendments thereto.

(b) (1) An applicant for a baccalaureate social work license who received a baccalaureate degree from a social work program in candidacy status from an accrediting body recognized by the board may request a temporary candidacy baccalaureate social work license upon:

(A) Demonstrating receipt of a baccalaureate degree from a college or university, including completion of a social work program in candidacy from an accrediting body recognized by the board;

(B) passing an examination approved by the board for the purpose of such temporary candidacy licensure;

(C) submitting a completed, signed temporary candidacy baccalaureate social work license application on a form and in a manner provided by the board;

(D) satisfying the board that the applicant is a person who merits the public trust; and

(E) paying the temporary candidacy baccalaureate social worker fee as established under K.S.A. 65-6314, and amendments thereto, upon notification from the board that all eligibility requirements have been satisfied.

(2) A temporary candidacy baccalaureate social work license shall expire on the last day of the 24th month after the temporary candidacy baccalaureate social work license's effective date. Such license is nonrenewable, but, upon request by the license holder using a form approved by the board and paying the appropriate fee, the license shall be extended upon a showing that the social work program remains in candidacy status with the accrediting body recognized by the board. In all professional use of the social worker's name, an individual with a temporary candidacy baccalaureate social work license shall represent themselves as a temporary candidacy baccalaureate social worker. An individual with such license may not use the credentials "LBSW." The word "licensed" may be used only when followed by the words "by temporary candidacy license." An individual issued a temporary candidacy baccalaureate social work license shall practice under supervision and shall not be required to complete continuing

education. If the accrediting body recognized by the board grants accreditation to the program in candidacy status, the holder of the temporary candidacy baccalaureate social work license shall receive a permanent license upon payment of the appropriate fee. If the accrediting body recognized by the board does not grant accreditation to the program in candidacy status, the board shall immediately revoke the temporary license and notify the licensee of the revocation of such license.

(c) The board shall issue a license as a master social worker to an applicant who has:

(1) ~~Except as provided in subsection (f),~~ A master's degree from an accredited college or university, including completion of a social work program recognized and approved by the board, pursuant to rules and regulations adopted by the board;

(2) passed an examination approved by the board for this purpose; ~~and~~

(3) satisfied the board that the applicant is a person who merits the public trust; ~~and~~

(4) paid an application fee established by the board under K.S.A. 65-6314, and amendments thereto, and, upon notification from the board that all eligibility requirements have been satisfied, paid the license fee established under K.S.A. 65-5808, and amendments thereto.

(d) (1) An applicant for a master social work license who received a master's degree from a social work program in candidacy status from an accrediting body recognized by the board may request a temporary candidacy master social work license upon:

(A) Demonstrating receipt of a master's degree from a college or university, including completion of a social work program in candidacy from an accrediting body recognized by the board;

(B) passing an examination approved by the board for the purpose of such temporary candidacy licensure;

(C) submitting a completed, signed temporary candidacy master social work license application on a form and in a manner provided by the board;

(D) satisfying the board that the applicant is a person who merits the public trust; and

(E) paying the temporary candidacy master social worker fee as established under K.S.A. 65-6314, and amendments thereto, upon notification from the board that all eligibility requirements have been satisfied.

(2) A temporary candidacy master social work license shall expire on the last day of the 24th month after the temporary candidacy master social work license's effective date. Such license is nonrenewable, but, upon request by the license holder using a form approved by the board and paying the appropriate fee, the license shall be extended upon a showing that the social work program remains in candidacy status with the accrediting body recognized by the board. In all professional use of the social worker's name, an individual with a temporary candidacy master social work license shall represent themselves as a temporary candidacy master social worker. An individual with such license shall not use the credentials "LMSW." The word "licensed" may be used only when followed by the words "by temporary candidacy license." An individual issued a temporary candidacy master social work license shall practice under supervision and shall not be required to complete continuing education. If the accrediting body recognized by the board grants accreditation to the program in candidacy status, the holder of the temporary candidacy master social work license shall

receive a permanent license upon payment of the appropriate fee. If the accrediting body recognized by the board does not grant accreditation to the program in candidacy status, the board shall immediately revoke the temporary license and notify the licensee of the revocation of such license.

~~(e)~~(e) The board shall issue a license in one of the social work specialties to an applicant who has:

(1) A master's or doctor's degree from an accredited graduate school of social work, including completion of a social work program recognized and approved by the board, pursuant to rules and regulations adopted by the board;

(2) had two years of full-time post-master's or post-doctor's degree experience under the supervision of a licensed social worker in the area of the specialty in which such applicant seeks to be licensed;

(3) passed an examination approved by the board for this purpose; ~~and~~

(4) satisfied the board that the applicant is a person who merits the public trust; and

(5) upon notification from the board that all eligibility requirements have been satisfied, paid the license fee established under K.S.A. 65-6314, and amendments thereto.

~~(d)~~(f) (1) The board shall issue a license as a specialist clinical social worker to an applicant who:

(A) Has met the requirements of subsection ~~(e)~~(e);

(B) has completed ~~15~~ 3 credit hours as part of or in addition to the requirements under subsection ~~(e)~~(e) supporting diagnosis or treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual, through identifiable study of the following content areas: psychopathology, ~~diagnostic assessment, interdisciplinary referral and collaboration, treatment approaches and professional ethics;~~

(C) has completed a graduate level supervised clinical practicum of supervised professional experience, including, but not limited to, psychotherapy and assessment, integrating diagnosis or diagnostic impressions and treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual or additional postgraduate supervised experience as determined by the board;

(D) has completed as part of or in addition to the requirements of subsection ~~(e)~~(e) not less than two years of postgraduate supervised professional experience, in accordance with a clinical supervision plan approved by the board of not less than 3,000 hours of supervised professional experience including at least 1,500 hours of direct client contact, including, but not limited to, conducting psychotherapy and assessments with individuals, couples, families or groups integrating diagnosis or diagnostic impressions and treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual and not less than 100 hours of face-to-face clinical supervision, as defined by the board in rules and regulations, including not less than 50 hours of individual supervision, except that the board may waive the requirement that such supervision be face-to-face upon a finding of extenuating circumstances, integrating diagnosis and treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual;

(E) for persons earning a degree under subsection (c) prior to July 1, 2003, in lieu of the education and training requirements under subparagraphs (B) and (C), has completed the education requirements for licensure as a specialist clinical social worker

in effect on the day immediately preceding the effective date of this act;

(F) for persons who apply for and are eligible for a temporary license to practice as a specialist clinical social worker on the day immediately preceding the effective date of this act, in lieu of the education and training requirements under subparagraphs (B), (C) and (D), has completed the education and training requirements for licensure as a specialist clinical social worker in effect on the day immediately preceding the effective date of this act;

(G) has passed an examination approved by the board; and

(H) has paid the application fee.

(2) A licensed specialist clinical social worker may engage in the social work practice and is authorized to diagnose and treat mental disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the board by rules and regulations. When a client has symptoms of a mental disorder, a licensed specialist clinical social worker shall consult with the client's primary care physician or psychiatrist to determine if there may be a medical condition or medication that may be causing or contributing to the client's symptoms of a mental disorder. A client may request in writing that such consultation be waived and such request shall be made a part of the client's record. A licensed specialist clinical social worker may continue to evaluate and treat the client until such time that the medical consultation is obtained or waived.

(3) Notwithstanding any other provision of this subsection, a licensed master social worker who has provided to the board an acceptable clinical supervision plan for licensure as a specialist clinical social worker prior to the effective date of this act shall be licensed as a specialist clinical social worker under this act upon completion of the requirements in effect for licensure as a specialist clinical social worker at the time the acceptable training plan is submitted to the board.

(4) A person licensed as a specialist clinical social worker on the day immediately preceding the effective date of this act shall be deemed to be a licensed specialist clinical social worker under this act. Such person shall not be required to file an original application for licensure as a specialist clinical social worker under this act.

~~(e)~~(g) The board shall adopt rules and regulations establishing the criteria that a social work program of a college or university shall satisfy to be recognized and approved by the board under this section. The board may send a questionnaire developed by the board to any college or university conducting a social work program for which the board does not have sufficient information to determine whether the program should be recognized and approved by the board and whether the program meets the rules and regulations adopted under this section. The questionnaire providing the necessary information shall be completed and returned to the board in order for the program to be considered for recognition and approval. The board may contract with investigative agencies, commissions or consultants to assist the board in obtaining information about a social work program of a college or university. In entering such contracts the authority to recognize and approve a social work program of a college or university shall remain solely with the board.

~~(f)~~(h) (1) Notwithstanding any pending candidacy for accreditation of the masters of social work program at Fort Hays state university, the board shall:

(A) Accept a master's degree from such program as from an accredited college or university for the purpose of issuing a license as a master social worker to an applicant

under subsection (b); and

(B) not impose any additional or alternative requirements to accreditation upon an applicant with such degree based on such program's pending candidacy for accreditation.

(2) The provisions of this subsection shall apply retroactively and shall expire on July 1, 2023.

(i) (1) An individual may apply to the board for a community-based social work license to practice social work in the scope of employment by a community mental health center, as defined in K.S.A. 39-2002, and amendments thereto, a federally qualified health center, as defined in K.S.A. 65-7402, and amendments thereto, a psychiatric residential treatment facility as defined in K.S.A. 39-2002, and amendments thereto, or a private treatment facility as defined in K.S.A. 59-29b46, and amendments thereto.

(2) A community-based social work license may be issued by the board after the board reviews and approves the application and the applicant has paid the fee set by the board for issuance of a community-based social work license.

(3) (A) Absent extenuating circumstances approved by the board, a community-based social work license issued by the board shall expire:

(i) Upon the date the board issues or denies a license to practice social work; or

(ii) 24 months after the date of issuance of the community-based social work license.

(B) No community-based social work license shall be renewed or issued again on any subsequent application for the same license level. This paragraph shall not be construed to limit the number of times an applicant may take the examination.

(4) A person practicing social work with a community-based social work license may use the title "licensed baccalaureate social worker" or "licensed master social worker" or the initials "LBSW" or "LMSW" independently.

(5) No person may practice social work under a community-based social work license except under the supervision of a person licensed by the board to practice at the independent level.

(6) The board shall not issue a community-based social work license or temporary social work license to an individual who has previously been issued a community-based social work license or temporary social work license.

Sec. 11. K.S.A. 2022 Supp. 65-6309 is hereby amended to read as follows: 65-6309. (a) An applicant shall be exempted from the requirement for any examination provided for herein, if the applicant has taken and passed an examination similar to that for which exemption is sought, as determined by the board.

(b) Upon application, the board shall ~~issue a temporary license~~ issue a temporary bachelor's social work license or a temporary master's social work license to persons who have submitted documentation and met all qualifications for licensure under provisions of this act, except passage of the required examination, and who have paid the required fee.

(c) Absent extenuating circumstances approved by the board, a temporary bachelor's social work license or a temporary master's social work license issued by the board shall expire upon the date the board issues or denies a license to practice social work or ~~12, 24~~ months after the date of issuance of the temporary license. No temporary bachelor's social work license or temporary master's social work license will be renewed or issued again on any subsequent applications for the same license level. The

preceding provisions in no way limit the number of times an applicant may take the examination.

(d) No person ~~may~~ shall work under a temporary bachelor's social work license or a temporary master's social work license except under the supervision of a licensed social worker.

(e) Nothing in this section shall affect any temporary license to practice issued under this section prior to the effective date of this act and in effect on the effective date of this act. Such temporary license shall be subject to the provisions of this section in effect at the time of its issuance and shall continue to be effective until the date of expiration of the license as provided under this section at the time of issuance of such temporary license.

(f) Any individual employed by a hospital and working in the area of hospital social services to patients of such hospital on July 1, 1974, is exempt from the provisions of this act.

(g) A person practicing social work with a temporary license may not use the title "licensed baccalaureate social worker" or "licensed master social worker" or use the initials "LBSW" or "LMSW," independently. The word "licensed" may be used only when followed by the words "by temporary license."

Sec. 12. K.S.A. 65-6313 is hereby amended to read as follows: 65-6313. (a) All licenses issued shall be effective upon the date issued and shall expire at the end of 24 months from the date of issuance.

(b) (1) Except as otherwise provided in K.S.A. 65-6311, and amendments thereto, a license may be renewed by the payment of the renewal fee set forth in K.S.A. 65-6314, and amendments thereto, and the execution and submission of a signed statement, on a form to be provided by the board, attesting that the applicant's license has been neither revoked nor currently suspended and that applicant has met the requirements for continuing education established by the board including not less than three continuing education hours of professional ethics.

(2) Prior to July 1, 2025, an applicant for renewal of a license as a master social worker or a specialist clinical social worker, as part of such continuing education, shall complete not less than six continuing education hours relating to diagnosis and treatment of mental disorders. On and after July 1, 2025, such applicant shall complete not less than three continuing education hours relating to diagnosis and treatment of mental disorders.

(3) An applicant for first time licensure renewal as a baccalaureate social worker, master social worker or specialist clinical social worker, as part of such continuing education, shall complete not less than six hours of social worker safety awareness training. If the applicant for first time licensure renewal has already taken such training, as part of a previous level of social work licensure renewal, then the applicant is not required to complete an additional six hours of social worker safety training.

(c) The application for renewal shall be made on or before the date of the expiration of the license or on or before the date of the termination of the period of suspension.

~~(d) If the application for renewal, including payment of the required renewal fee, is not made on or before the date of the expiration of the license, the license is void, and no license shall be reinstated except upon payment of the required renewal fee established under K.S.A. 65-6314, and amendments thereto, plus a penalty equal to the renewal fee, and proof satisfactory to the board of the completion of 40 hours of~~

~~continuing education within two years prior to application for reinstatement. Upon receipt of such payment and proof, the board shall reinstate the license. A license shall be reinstated under this subsection, upon receipt of such payment and proof, at any time after the expiration of such license. (1) A licensee who is unable to complete the required continuing education hours for renewal may request additional time to complete any remaining continuing education hours. Such request shall be made to the board not later than 30 calendar days prior to the expiration of the license and shall include:~~

~~(A) The licensee's reason for requesting additional time, showing extenuating circumstances for why the hours could not be completed during the license period; and~~

~~(B) a plan outlining the manner in which the licensee intends to complete the remaining continuing education hours.~~

~~(2) The board may grant a licensee up to three additional months beyond the license expiration date to complete the required continuing education hours.~~

~~(3) A licensee who receives additional time to complete continuing education hours under this subsection shall:~~

~~(A) Renew the license prior to the license expiration date and report to the board the number of continuing education hours completed on such date;~~

~~(B) notify the board upon completing the remaining continuing education hours; and~~

~~(C) be subject to an audit by the board of the total number of continuing education hours completed for the applicable license period.~~

~~(4) Continuing education hours completed during additional time granted under this subsection shall be credited only toward the requirements for the license period for which additional time is granted.~~

~~(5) A licensee shall not be approved for additional time to complete continuing education requirements in consecutive license periods.~~

~~(e) (1) A person whose license has expired may make written application to the board requesting reinstatement of the license in a manner prescribed by the board, and such application shall be accompanied by:~~

~~(A) The renewal fee established under K.S.A. 65-6314, and amendments thereto, and, for any person whose license has been expired for one year or less, an additional fee equal to the renewal fee; and~~

~~(B) evidence satisfactory to the board that the person has completed during the previous 24 months the continuing education requirements for one license period.~~

~~(2) A person requesting to reinstate a license that has been expired for longer than one year who has not completed the necessary continuing education hours for reinstatement may submit an application for a six-month reinstatement temporary license in a manner prescribed by the board, and such application shall be accompanied by the fee established under K.S.A. 65-6314, and amendments thereto. A licensee practicing under a six-month reinstatement temporary license shall complete the continuing education requirements required for a permanent license prior to the expiration of the temporary license and notify the board upon such completion. A six-month reinstatement temporary license shall not be extended or renewed.~~

~~(e)(f) In case of a lost or destroyed license, and upon satisfactory proof of the loss or destruction thereof, the board may issue a duplicate license and shall charge a fee as set forth in K.S.A. 65-6314, and amendments thereto, for such duplicate license.~~

~~(f)~~(g) Within 30 days after any change of permanent address, a licensee shall notify the board of such change.

Sec. 13. K.S.A. 65-6314 is hereby amended to read as follows: 65-6314. (a) The following fees may be established by the board in accordance with the following limitations, and any such fees shall be established by rules and regulations adopted by the board:

(1) Renewal or reinstatement fee for a license as a social work associate shall be not more than \$150.

(2) Application, new license, reinstatement or renewal fee for a license as a baccalaureate social worker shall be not more than \$150.

(3) Application, new license, reinstatement or renewal fee for a license as master social worker shall be not more than \$150.

(4) Application, new license, reinstatement or renewal fee for a license in a social work specialty shall be not more than \$150.

(5) Replacement fee for reissuance of a license certificate due to loss or name change shall be not more than \$20.

(6) Replacement fee for reissuance of a wallet card shall be not more than \$5.

(7) Temporary license fee for a baccalaureate social worker, master social worker or a social work specialty shall be not more than \$50.

(8) Temporary candidacy license fee for a baccalaureate social worker, master social worker or a social work specialty shall be not more than \$75.

(9) Six-month reinstatement temporary license fee for a baccalaureate social worker, master social worker or a social work specialty shall be not more than \$50.

(10) Community-based license fee for a baccalaureate social worker, master social worker or social work specialty shall be not more than \$175.

(11) Application fee for approval as board-approved continuing education sponsors shall be as follows:

(A) Initial application fee for one year provisionally approved providers shall be not more than \$125;

(B) three-year renewal fees for approved providers shall be not more than \$350; and

(C) application fees for single program providers shall be not more than \$50 for each separately offered continuing education activity for which prior approval is sought.

(b) Fees paid to the board are not refundable.

Sec. 14. K.S.A. 2022 Supp. 65-6322 is hereby amended to read as follows: 65-6322. (a) The board may issue a license to an individual who is currently registered, certified or licensed to practice social work in another jurisdiction, if the board determines that:

(1) The standards for registration, certification or licensure to practice social work at the baccalaureate level in another jurisdiction are substantially the equivalent of the requirements in the social workers licensure act and rules and regulations of the board for licensure as a baccalaureate social worker; or

(2) the applicant demonstrates compliance on forms set by the board; with the following standards as adopted by the board:

(A) Registration, certification or licensure to practice social work at the baccalaureate level with a similar scope of practice for at least ~~48 of the last 54~~ 12 months immediately preceding the application, ~~with at least the minimum professional~~

~~experience as established by rules and regulations of the board;~~

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency; and

(C) completion of a baccalaureate degree in social work from a regionally accredited university.

(b) The board may issue a license to an individual who is currently registered, certified or licensed to practice social work in another jurisdiction, if the board determines that:

(1) The standards for registration, certification or licensure to practice social work at the master's level in another jurisdiction are substantially the equivalent of the requirements in the social workers licensure act and rules and regulations of the board for licensure as a master social worker; or

(2) the applicant demonstrates compliance on forms set by the board; with the following standards as adopted by the board:

(A) Registration, certification or licensure to practice social work at the master level with a similar scope of practice for at least ~~48~~ of the last 54 ~~12~~ 12 months immediately preceding the application ~~with at least the minimum professional experience as established by rules and regulations of the board;~~

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency; and

(C) completion of a master's degree in social work from a regionally accredited university.

(c) Applicants for licensure as a specialist clinical social worker shall demonstrate:

(1) That the applicant meets the requirements of subsection (b);

(2) that the applicant is currently licensed to practice social work at the clinical level in another state; and

(3) competence to diagnose and treat mental disorders by meeting at least two of the following areas acceptable to the board:

(A) Passing a national clinical examination approved by the board;

(B) three years of clinical practice with demonstrated experience in diagnosing or treating mental disorders; or

(C) attestation from a professional licensed to diagnose and treat mental disorders in independent practice or licensed to practice medicine and surgery, stating that the applicant is competent to diagnose and treat mental disorders.

(d) An applicant for a license under this section shall pay an application fee established by the board under K.S.A. 65-6411, and amendments thereto, if required by the board. Upon notification from the board that all eligibility requirements have been satisfied, the applicant shall submit the license fee as provided in K.S.A. 65-6411, and amendments thereto.

Sec. 15. K.S.A. 65-6402 is hereby amended to read as follows: 65-6402. As used in the marriage and family therapists licensure act:

(a) "Board" means the behavioral sciences regulatory board created under K.S.A. 74-7501 and amendments thereto.

~~(b) "Marriage and family therapy" means the assessment and treatment of cognitive, affective or behavioral problems within the context of marital and family systems and includes the diagnosis and treatment of mental disorders as authorized under the marriage and family therapists licensure act.~~

~~(e) "Licensed marriage and family therapist" means a person who engages in the practice of marriage and family therapy and who is licensed under this act except that on and after January 1, 2002, such person shall engage in the practice of marriage and family therapy only under the direction of a licensed clinical marriage and family therapist, a licensed psychologist, a person licensed to practice medicine and surgery or a person licensed to provide mental health services as an independent practitioner and whose licensure allows for the diagnosis and treatment of mental disorders. "Extenuating circumstances" means any condition or situation caused by events beyond an individual's control that is sufficiently extreme in nature to result in the:~~

- ~~(1) Individual's inability to comply with requirements; or~~
- ~~(2) inadvisability of requiring the individual to comply with requirements.~~

~~(c) "Licensed clinical marriage and family therapist" means a person who engages in the independent practice of marriage and family therapy including the diagnosis and treatment of mental disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the board by rules and regulations and is licensed under this act.~~

~~(d) "Licensed marriage and family therapist" means a person who engages in the practice of marriage and family therapy, is licensed under this act and engages in the practice of marriage and family therapy only under the direction of a licensed clinical marriage and family therapist, a licensed psychologist, a person licensed to practice medicine and surgery or a person licensed to provide mental health services as an independent practitioner and whose licensure allows for the diagnosis and treatment of mental disorders.~~

~~(e) "Marriage and family therapy" means the assessment and treatment of cognitive, affective or behavioral problems within the context of marital and family systems and includes the diagnosis and treatment of mental disorders as authorized under the marriage and family therapists licensure act.~~

Sec. 16. K.S.A. 2022 Supp. 65-6404 is hereby amended to read as follows: 65-6404. (a) An applicant for licensure as a marriage and family therapist shall furnish evidence that the applicant has:

- (1) Attained 21 years of age;
- (2) (A) completed a master's or doctoral degree from a marriage and family therapy program, in an educational institution with standards approved by the board; (B) has completed a master's or doctoral degree from an educational institution in a related field for which the course work is considered by the board to be equivalent to that provided in subparagraph (A) and consists of a minimum of nine semester hours in human development, nine semester hours in theories of marriage and family functioning, nine semester hours of marital and family assessment and therapy, three semester hours in professional studies and three semester hours in research and has completed an academically supervised practicum in the master's degree program with at least 300 hours of direct client contact or a combined 300 hours of direct client contact and additional postgraduate supervised experience; or (C) completed a master's or doctoral degree from an educational institution in a related field with additional work from an educational program in marriage and family therapy approved by the board and such degree program and additional work includes the course work requirements provided in subparagraph (B);

- (3) passed an examination approved by the board;
- (4) satisfied the board that the applicant is a person who merits the public trust; and
- (5) paid the application fee established by the board under K.S.A. 65-6411, and amendments thereto.

(b) (1) Applications for licensure as a clinical marriage and family therapist shall be made to the board on a form and in the manner prescribed by the board. Each applicant shall furnish evidence satisfactory to the board that the applicant:

(A) Is licensed by the board as a licensed marriage and family therapist or meets all requirements for licensure as a marriage and family therapist;

(B) has completed 15 credit hours as part of or in addition to the requirements under subsection (a) supporting diagnosis or treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual, through identifiable study of the following content areas: Psychopathology, diagnostic assessment, interdisciplinary referral and collaboration, treatment approaches and professional ethics;

(C) has completed a graduate level supervised clinical practicum of supervised professional experience including psychotherapy and assessment with individuals, couples, families or groups, integrating diagnosis and treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual, with not less than ~~350~~ 300 hours of direct client contact or additional postgraduate supervised experience as determined by the board;

(D) has completed not less than two years of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 3,000 hours of supervised professional experience including at least 1,500 hours of direct client contact conducting psychotherapy and assessments with individuals, couples, families or groups and not less than 100 hours of face-to-face clinical supervision, as defined by the board in rules and regulations, including not less than 50 hours of individual supervision, except that the board may waive the requirement that such supervision be face-to-face upon a finding of extenuating circumstances, integrating diagnosis and treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual, except that the board may waive $\frac{1}{2}$ of the hours required by this subparagraph for an individual who has a doctor's degree in marriage and family therapy or a related field acceptable to the board and who completes the required $\frac{1}{2}$ of the hours in not less than one year of supervised professional experience;

(E) for persons who earned a degree under subsection (a) prior to July 1, 2003, in lieu of the education and training requirements under subparagraphs (B) and (C), has completed the education requirements for licensure as a marriage and family therapist in effect on the day immediately preceding the effective date of this act;

(F) for persons who apply for and are eligible for a temporary permit to practice as a licensed marriage and family therapist on the day immediately preceding the effective date of this act, in lieu of the education and training requirements under subparagraphs (B), (C) and (D), has completed the education and training requirements for licensure as a marriage and family therapist in effect on the day immediately preceding the effective date of this act;

(G) has passed an examination approved by the board; and

(H) has paid the application fee ~~fixed set~~ under K.S.A. 65-6411, and amendments

thereto.

(2) A person who was licensed or registered as a marriage and family therapist in Kansas at any time prior to the effective date of this act, who has been actively engaged in the practice of marriage and family therapy as a registered or licensed marriage and family therapist within five years prior to the effective date of this act and whose last license or registration in Kansas prior to the effective date of this act was not suspended or revoked, upon application to the board, payment of fees and completion of applicable continuing education requirements, shall be licensed as a licensed clinical marriage and family therapist by providing demonstration of competence to diagnose and treat mental disorders through at least two of the following areas acceptable to the board:

(A) Either: (i) Graduate coursework; or (ii) passing a national, clinical examination;

(B) either: (i) Three years of clinical practice in a community mental health center, its contracted affiliate or a state mental hospital; or (ii) three years of clinical practice in other settings with demonstrated experience in diagnosing or treating mental disorders; or

(C) attestation from one professional licensed to diagnose and treat mental disorders in independent practice or licensed to practice medicine and surgery that the applicant is competent to diagnose and treat mental disorders.

(3) A licensed clinical marriage and family therapist may engage in the independent practice of marriage and family therapy and is authorized to diagnose and treat mental disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the board by rules and regulations. When a client has symptoms of a mental disorder, a licensed clinical marriage and family therapist shall consult with the client's primary care physician or psychiatrist to determine if there may be a medical condition or medication that may be causing or contributing to the client's symptoms of a mental disorder. A client may request in writing that such consultation be waived and such request shall be made a part of the client's record. A licensed clinical marriage and family therapist may continue to evaluate and treat the client until such time that the medical consultation is obtained or waived.

(4) On and after January 1, 2002, a licensed marriage and family therapist may diagnose and treat mental disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the board by rules and regulations only under the direction of a licensed clinical marriage and family therapist, licensed psychologist, person licensed to practice medicine and surgery or person licensed to provide mental health services as an independent practitioner and whose licensure allows for the diagnosis and treatment of mental disorders. When a client has symptoms of a mental disorder, a licensed marriage and family therapist shall consult with the client's primary care physician or psychiatrist to determine if there may be a medical condition or medication that may be causing or contributing to the client's symptoms of a mental disorder. A client may request in writing that such consultation be waived and such request shall be made a part of the client's record. A licensed marriage and family therapist may continue to evaluate and treat the client until such time that the medical consultation is obtained or waived.

(c) (1) An individual may apply to the board for a community-based marriage and family therapist license to practice marriage and family therapy in the scope of employment by a community mental health center, as defined in K.S.A. 39-2002, and

amendments thereto, a federally qualified health center, as defined in K.S.A. 65-7402, and amendments thereto, a psychiatric residential treatment facility as defined in K.S.A. 39-2002, and amendments thereto, or a private treatment facility as defined in K.S.A. 59-29b46, and amendments thereto.

(2) A community-based marriage and family therapist license may be issued by the board after the board reviews and approves the application and the applicant has paid the fee set by the board for issuance of a community-based marriage and family therapist license.

(3) (A) Absent extenuating circumstances approved by the board, a community-based marriage and family therapist license issued by the board shall expire:

(i) Upon the date the board issues or denies a license to practice marriage and family therapy; or

(ii) 24 months after the date of issuance of the community-based marriage and family therapist license.

(B) No community-based marriage and family therapist license shall be renewed or issued again on any subsequent application for the same license level. This paragraph shall not be construed to limit the number of times an applicant may take the examination.

(4) A person practicing marriage and family therapy with a community-based marriage and family therapist license may use the title "licensed marriage and family therapist" or the initials "LMFT" independently.

(5) No person may practice marriage and family therapy under a community-based marriage and family therapist license except under the supervision of a person licensed by the board to practice at the independent level.

(6) The board shall not issue a community-based marriage and family therapist license or temporary marriage and family therapist license to an individual who has previously been issued a community-based marriage and family therapist license or temporary marriage and family therapist license.

Sec. 17. K.S.A. 2022 Supp. 65-6405 is hereby amended to read as follows: 65-6405. (a) A person who is waiting to take the examination required by the board may apply to the board for a temporary marriage and family therapy license to practice as a licensed marriage and family therapist by:

(1) Paying an application a temporary license fee as established by the board under K.S.A. 65-6411, and amendments thereto; and

(2) meeting the application requirements as stated in K.S.A. 65-6404(a)(1), (a)(2) and (a)(4) and (a)(5), and amendments thereto.

(b) A person who is waiting to take the license examination required by the board, and who has not completed a practicum including 300 hours of direct client contact but has been approved by the board to complete other postgraduate experience totaling 300 hours, may apply to the board for a temporary marriage and family therapy license to practice as a licensed marriage and family therapist by:

(1) Paying a temporary license fee established by the board under K.S.A. 65-6411, and amendments thereto; and

(2) meeting the application requirements as stated in K.S.A. 65-6404(a)(1), (a)(2), (a)(4) and (a)(5), and amendments thereto, and, except for the requirement to complete a practicum or other postgraduate experience, the requirements of K.S.A. 65-6404(a)(2), and amendments thereto.

(c) (1) A temporary marriage and family therapy license may be issued by the board after the application has been reviewed and approved by the board and the applicant has paid the appropriate fee as established by the board under K.S.A. 65-6411, and amendments thereto.

(2) Absent extenuating circumstances approved by the board, a temporary license issued by the board shall expire upon the date the board issues or denies the person a license to practice marriage and family therapy or ~~12~~ 24 months after the date of issuance of the temporary license.

(3) No temporary license shall be renewed or issued again on any subsequent application for the same license level. The preceding provision in no way limits the number of times an applicant may take the examination.

(c) A person practicing marriage and family therapy with a temporary marriage and family therapy license may not use the title "licensed marriage and family therapist" or the initials "LMFT" independently. The word "licensed" may be used only when followed by the words "by temporary license."

(d) No person may practice marriage and family therapy under a temporary marriage and family therapy license except under the supervision of a person licensed by the behavioral sciences regulatory board at the independent level.

(e) Nothing in this section shall affect any temporary license to practice issued under this section prior to the effective date of this act and in effect on the effective date of this act. Such temporary license shall be subject to the provisions of this section in effect at the time of its issuance and shall continue to be effective until the date of expiration of the license as provided under this section at the time of issuance of such temporary license.

Sec. 18. K.S.A. 2022 Supp. 65-6406 is hereby amended to read as follows: 65-6406. (a) The board may issue a license to an individual who is currently registered, certified or licensed to practice marriage and family therapy in another jurisdiction if the board determines that:

(1) The standards for registration, certification or licensure to practice marriage and family therapy in the other jurisdiction are substantially the equivalent of the requirements of the marriage and family therapists licensure act and rules and regulations of the board; or

(2) the applicant demonstrates on forms provided by the board compliance with the following standards as adopted by the board:

(A) Registration, certification or licensure to practice marriage and family therapy with a similar scope of practice for at least ~~48 of the last 54~~ 12 months immediately preceding the application ~~with at least the minimum professional experience as established by rules and regulations of the board;~~

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency; and

(C) completion of at least a master's degree in marriage and family therapy or a related field as approved by the board from a regionally accredited university.

(b) Applicants for licensure as a clinical marriage and family therapist shall additionally demonstrate competence to diagnose and treat mental disorders through meeting the requirements of either subsection (a)(1) or (a)(2) and at least two of the following areas acceptable to the board:

(1) Either graduate coursework as established by rules and regulations of the board

or passing a national clinical examination approved by the board;

(2) three years of clinical practice with demonstrated experience in diagnosing or treating mental disorders; or

(3) attestation from a professional licensed to diagnose and treat mental disorders in independent practice or licensed to practice medicine and surgery stating that the applicant is competent to diagnose and treat mental disorders.

(c) An applicant for a license under this section shall pay an application fee established by the board under K.S.A. 65-6411, and amendments thereto, if required by the board. Upon notification from the board that all eligibility requirements have been satisfied, the applicant shall pay the license fee as provided in K.S.A. 65-6411, and amendments thereto.

Sec. 19. K.S.A. 65-6407 is hereby amended to read as follows: 65-6407. (a) An applicant who meets the requirements for licensure pursuant to this act, has paid the license fee provided for by K.S.A. 65-6411, and amendments thereto, and has otherwise complied with the provisions of this act shall be licensed by the board.

(b) Licenses issued pursuant to this act shall expire 24 months from the date of issuance unless revoked prior to that time. A license may be renewed upon application and payment of the fee provided for by K.S.A. 65-6411, and amendments thereto. The application for renewal shall be accompanied by evidence satisfactory to the board that the applicant has completed during the previous 24 months the continuing education required by rules and regulations of the board. Prior to July 1, 2025, as part of such continuing education, the applicant shall complete not less than six continuing education hours relating to diagnosis and treatment of mental disorders and not less than three continuing education hours of professional ethics. On and after July 1, 2025, as part of such continuing education, a licensee shall complete not less than three continuing education hours relating to diagnosis and treatment of mental disorders and not less than three continuing education hours of professional ethics.

(c) (1) A licensee who is unable to complete the required continuing education hours for renewal may request additional time to complete any remaining continuing education hours. Such request shall be made to the board not later than 30 calendar days prior to the expiration of the license and shall include:

(A) The licensee's reason for requesting additional time, showing extenuating circumstances for why the hours could not be completed during the license period; and

(B) a plan outlining the manner in which the licensee intends to complete the remaining continuing education hours.

(2) The board may grant a licensee up to three additional months beyond the license expiration date to complete the required continuing education hours.

(3) A licensee who receives additional time to complete continuing education hours under this subsection shall:

(A) Renew the license prior to the license expiration date and report to the board the number of continuing education hours completed on such date;

(B) notify the board upon completing the remaining continuing education hours; and

(C) be subject to an audit by the board of the total number of continuing education hours completed for the applicable license period.

(4) Continuing education hours completed during additional time granted under this subsection shall be credited only toward the requirements for the license period for

which additional time is granted.

(5) A licensee shall not be approved for additional time to complete continuing education requirements in consecutive license periods.

(d) A person whose license has been suspended or revoked may make written application to the board requesting reinstatement of the license upon termination of the period of suspension or revocation in a manner prescribed by the board, which application shall be accompanied by the fee provided for by K.S.A. 65-6411, and amendments thereto.

(e) (1) A person whose license has expired may make written application to the board requesting reinstatement of the license in a manner prescribed by the board, and such application shall be accompanied by:

(A) The renewal fee established under K.S.A. 65-6411, and amendments thereto, and, for any person whose license has been expired for one year or less, an additional fee equal to the renewal fee; and

(B) evidence satisfactory to the board that the person has completed during the previous 24 months the continuing education requirements for one license period.

(2) A person requesting to reinstate a license that has been expired for longer than one year who has not completed the necessary continuing education hours for reinstatement may submit an application for a six-month reinstatement temporary license in a manner prescribed by the board, and such application shall be accompanied by the fee established under K.S.A. 65-6411, and amendments thereto. A licensee practicing under a six-month reinstatement temporary license shall complete the continuing education requirements required for a permanent license prior to the expiration of the temporary license and notify the board upon such completion. A six-month reinstatement temporary license shall not be extended or renewed.

(~~e~~)^(f) Within 30 days after any change of permanent address, a licensee shall notify the board of such change.

Sec. 20. K.S.A. 2022 Supp. 65-6411 is hereby amended to read as follows: 65-6411. (a) The board may ~~fix~~ collect the following fees, and any such fees shall be established by rules and regulations adopted by the board:

(1) For application for licensure as a marriage and family therapist, not to exceed \$150;

(2) for temporary licensure as a marriage and family therapist, not to exceed \$175;

(3) for original licensure as a marriage and family therapist, not to exceed \$175;

(4) for renewal for licensure as a marriage and family therapist, not to exceed \$175;

(5) for a six-month reinstatement temporary license as a marriage and family therapist, not to exceed \$50;

(6) for application for licensure as a clinical marriage and family therapist, not to exceed \$175;

(~~6~~)⁽⁷⁾ for original licensure as a clinical marriage and family therapist, not to exceed \$175;

(~~7~~)⁽⁸⁾ for renewal for licensure as a clinical marriage and family therapist, not to exceed \$175;

(9) for a six-month reinstatement temporary license as a clinical marriage and family therapist, not more than \$50;

(~~8~~)⁽¹⁰⁾ for community-based licensure as a marriage and family therapist, not to exceed \$175;

(11) for reinstatement of a license, not to exceed \$175;
~~(9)(12)~~ for replacement of a license, not to exceed \$20;
~~(10)(13)~~ for renewal penalty, an amount equal to the renewal of license;
~~(11)(14)~~ for a wallet card license, not to exceed \$5; and
~~(12)(15)~~ for application for approval as a board-approved clinical supervisor, not to exceed \$50.

(b) Fees paid to the board are not refundable.

Sec. 21. K.S.A. 65-6608 is hereby amended to read as follows: 65-6608. As used in the addiction counselor licensure act:

~~(a) "Board" means the behavioral sciences regulatory board created under K.S.A. 74-7501, and amendments thereto.~~

~~(b) "Addiction counseling" means the utilization of special skills to assist persons with addictions, and to assist such persons' families and friends to achieve resolution of addiction through the exploration of the disease and its ramifications, the examination of attitudes and feelings, the consideration of alternative solutions and decision making, as these relate specifically to addiction. Evaluation and assessment, treatment including treatment plan development, crisis intervention, referral, record keeping and clinical consultation specifically related to addiction are within the scope of addiction counseling. Additionally, at the clinical level of licensure, addiction counseling includes independent practice and the diagnosis and treatment of substance use disorders.~~

~~(b) "Board" means the behavioral sciences regulatory board created under K.S.A. 74-7501, and amendments thereto.~~

~~(c) "Extenuating circumstances" means any condition or situation caused by events beyond an individual's control that is sufficiently extreme in nature to result in the:~~

~~(1) Individual's inability to comply with requirements; or~~

~~(2) inadvisability of requiring the individual to comply with requirements.~~

~~(d) "Licensed addiction counselor" means a person who engages in the practice of addiction counseling limited to substance use disorders and who is licensed under this act. Such person shall engage in the practice of addiction counseling in a state-licensed or certified alcohol and other drug treatment program or in completing a Kansas domestic violence offender assessment for participants in a certified batterer intervention program pursuant to K.S.A. 75-7d01 through 75-7d13, and amendments thereto, unless otherwise exempt from licensure under K.S.A. 59-29b46(n), and amendments thereto.~~

~~(d) "Licensed master's addiction counselor" means a person who engages in the practice of addiction counseling limited to substance use disorders and who is licensed under this act. Such person may diagnose substance use disorders only under the direction of a licensed clinical addiction counselor, a licensed psychologist, a person licensed to practice medicine and surgery or a person licensed to provide mental health services as an independent practitioner and whose licensure allows for the diagnosis and treatment of substance abuse disorders or mental disorders.~~

~~(e) "Licensed clinical addiction counselor" means a person who engages in the independent practice of addiction counseling and diagnosis and treatment of substance use disorders specified in the edition of the American psychiatric association's diagnostic and statistical manual of mental disorders (DSM) designated by the board by rules and regulations and is licensed under this act.~~

~~(f) "Licensed master's addiction counselor" means a person who engages in the~~

practice of addiction counseling limited to substance use disorders and who is licensed under the addiction counselor licensure act. Such person may diagnose substance use disorders only under the direction of a licensed clinical addiction counselor, a licensed psychologist, a person licensed to practice medicine and surgery or a person licensed to provide mental health services as an independent practitioner and whose licensure allows for the diagnosis and treatment of substance abuse disorders or mental disorders.

Sec. 22. K.S.A. 2022 Supp. 65-6610 is hereby amended to read as follows: 65-6610. (a) An applicant for licensure as an addiction counselor shall furnish evidence that the applicant:

- (1) Has attained 21 years of age;
- (2) (A) has completed at least a baccalaureate degree from an addiction counseling program that is part of a college or university approved by the board;
- (B) has completed at least a baccalaureate degree from a college or university approved by the board. As part of, or in addition to, the baccalaureate degree coursework, such applicant shall also complete a minimum number of semester hours of coursework on substance use disorders as approved by the board;
- (C) is currently licensed in Kansas as a licensed baccalaureate social worker and has completed a minimum number of semester hours of coursework on substance use disorders as approved by the board; or
- (D) is currently licensed in Kansas by the board as a master social worker, specialist clinical social worker, professional counselor, clinical professional counselor, marriage and family therapist, clinical marriage and family therapist, master's level psychologist, clinical psychotherapist or psychologist. Such licensees shall be eligible to take the examination as required by paragraph (3);
- (3) has passed an examination approved by the board;
- (4) has satisfied the board that the applicant is a person who merits the public trust; and
- (5) has paid the application fee established by the board under K.S.A. 65-6618, and amendments thereto, and, upon notification from the board that all eligibility requirements have been satisfied, paid the license fee established under K.S.A. 65-6618, and amendments thereto.

(b) Applications for licensure as a master's addiction counselor shall be made to the board on a form and in the manner prescribed by the board. Each applicant shall furnish evidence satisfactory to the board that the applicant:

- (1) (A) Has attained 21 years of age;
- (B) (i) has completed at least a master's degree from an addiction counseling program that is part of a college or university approved by the board;
- (ii) has completed at least a master's degree from a college or university approved by the board. As part of or in addition to the master's degree coursework, such applicant shall also complete a minimum number of semester hours of coursework supporting the diagnosis and treatment of substance use disorders as approved by the board; or
- (iii) is currently licensed in Kansas as a licensed master social worker, licensed professional counselor, licensed marriage and family therapist or licensed master's level psychologist;
- (C) has passed an examination approved by the board;
- (D) has satisfied the board that the applicant is a person who merits the public trust; and

(E) has paid the application fee—fixed set under K.S.A. 65-6618, and amendments thereto, and, upon notification from the board that all eligibility requirements have been satisfied, paid the license fee as provided by K.S.A. 65-6618, and amendments thereto;
or

(2) (A) has met the following requirements on or before July 1, 2016:

(i) Holds an active license by the board as an addiction counselor; and

(ii) has completed at least a master's degree in a related field from a college or university approved by the board; and

(B) has completed six hours of continuing education in the diagnosis and treatment of substance use disorders during the three years immediately preceding the application date.

(c) Applications for licensure as a clinical addiction counselor shall be made to the board on a form and in the manner prescribed by the board. Each applicant shall furnish evidence satisfactory to the board that the applicant:

(1) Has attained 21 years of age;

(2) (A) (i) has completed at least a master's degree from an addiction counseling program that is part of a college or university approved by the board; and

(ii) has completed not less than two years of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 3,000 hours of supervised professional experience, including at least 1,500 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 100 hours of face-to-face clinical supervision, as defined by the board in rules and regulations, including not less than 50 hours of individual supervision, except that the board may waive the requirement that such supervision be face-to-face upon a finding of extenuating circumstances, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association, except that the board may waive $\frac{1}{2}$ of the hours required by this clause for an individual who has a doctoral degree in addiction counseling or a related field approved by the board and who completes the required $\frac{1}{2}$ of the hours in not less than one year of supervised professional experience; or

(B) (i) has completed at least a master's degree from a college or university approved by the board. As part of or in addition to the master's degree coursework, such applicant shall also complete a minimum number of semester hours of coursework supporting the diagnosis and treatment of substance use disorders as approved by the board; and

(ii) has completed not less than two years of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 3,000 hours of supervised professional experience, including at least 1,500 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 100 hours of face-to-face clinical supervision, as defined by the board in rules and regulations, including not less than 50 hours of individual supervision, except that the board may waive the requirement that such supervision be face-to-face upon a finding of extenuating circumstances, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association, except that the board may waive $\frac{1}{2}$ of the hours required by this clause for

an individual who has a doctoral degree in addiction counseling or a related field approved by the board and who completes the required $\frac{1}{2}$ of the hours in not less than one year of supervised professional experience; or

(C) (i) has completed a master's degree from a college or university approved by the board and is licensed by the board as a licensed master's addiction counselor; and

(ii) has completed not less than two years of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 3,000 hours of supervised professional experience, including at least 1,500 hours of direct client contact conducting substance abuse assessments and treatment with individuals, couples, families or groups and not less than 100 hours of face-to-face clinical supervision, as defined by the board in rules and regulations, including not less than 50 hours of individual supervision, except that the board may waive the requirement that such supervision be face-to-face upon a finding of extenuating circumstances, integrating diagnosis and treatment of substance use disorders with use of the diagnostic and statistical manual of mental disorders of the American psychiatric association, except that the board may waive $\frac{1}{2}$ of the hours required by this clause for an individual who has a doctoral degree in addiction counseling or a related field approved by the board and who completes the required $\frac{1}{2}$ of the hours in not less than one year of supervised professional experience; or

(D) is currently licensed in Kansas as a licensed psychologist, licensed specialist clinical social worker, licensed clinical professional counselor, licensed clinical psychotherapist or licensed clinical marriage and family therapist and provides to the board an attestation from a professional licensed to diagnose and treat mental disorders, or substance use disorders, or both, in independent practice or licensed to practice medicine and surgery stating that the applicant is competent to diagnose and treat substance use disorders;

(3) has passed an examination approved by the board;

(4) has satisfied the board that the applicant is a person who merits the public trust; and

(5) has paid the application fee ~~fixed set~~ under K.S.A. 65-6618, and amendments thereto, and, upon notification from the board that all eligibility requirements have been satisfied, paid the license fee established under K.S.A. 65-6618, and amendments thereto.

Sec. 23. K.S.A. 2022 Supp. 65-6611 is hereby amended to read as follows: 65-6611. (a) A person who is waiting to take the examination for licensure as an addiction counselor may apply to the board for a temporary addiction counselor license to practice as a licensed addiction counselor by:

(1) Paying a fee for a temporary license ~~fixed set~~ under K.S.A. 65-6618, and amendments thereto; and

(2) meeting the application requirements as stated in K.S.A. 65-6610(a)(1), (a)(2), (a)(4) and (a)(5), and amendments thereto.

(b) A person who is waiting to take the examination for licensure as a master's addiction counselor may apply to the board for a temporary master's addiction counselor license to practice as a licensed master's addiction counselor by:

(1) Paying a fee for a temporary license ~~fixed set~~ under K.S.A. 65-6618, and amendments thereto; and

(2) meeting the application requirements as stated in K.S.A. 65-6610(b)(1)(A), (b)

(1)(B), (b)(1)(D) and (b)(1)(E), and amendments thereto.

(c) (1) A temporary addiction counselor license or temporary master's addiction counselor license may be issued by the board after the application has been reviewed and approved by the board and the applicant has paid the appropriate fee ~~set by the board for issuance of new licenses.~~

(2) Absent extenuating circumstances approved by the board, a temporary addiction counselor license or a temporary master's addiction counselor license issued by the board shall expire upon the date the board issues or denies the person a license to practice addiction counseling or ~~12~~ 24 months after the date of issuance of the temporary addiction counselor license or temporary master's addiction counselor license.

(3) No temporary addiction counselor license or temporary master's addiction counselor license will be renewed or issued again on any subsequent application for the same license level. The preceding provision in no way limits the number of times an applicant may take the examination.

(d) A person practicing addiction counseling with a temporary addiction counselor license or a temporary master's addiction counselor license may not use the title "licensed addiction counselor" or "licensed master's addiction counselor" or use the initials "LAC" or "LMAC" independently. The word "licensed" may be used only when followed by the words "by temporary license."

(e) No person may practice addiction counseling under a temporary addiction counselor license or a temporary master's addiction counselor license except in a licensed or certified alcohol and other drug abuse program, under the direction of a person licensed by the behavioral sciences regulatory board at the clinical level or a person licensed to practice medicine and surgery.

(f) Nothing in this section shall affect any temporary license to practice issued under this section prior to the effective date of this act and in effect on the effective date of this act. Such temporary license shall be subject to the provisions of this section in effect at the time of its issuance and shall continue to be effective until the date of expiration of the license as provided under this section at the time of issuance of such license.

(g) A person may apply to the board for a student temporary addiction counselor license to practice as a student temporary addiction counselor, on a form and in the manner prescribed by the board, by:

(1) Providing documentation of completing at least 60 credit hours from an institution of higher education with an emphasis in addiction counseling or a related field, as defined by the board in rules and regulations;

(2) providing a signed attestation indicating the applicant's intention to pursue licensure as a licensed addiction counselor with a plan to complete the education requirements toward a licensed addiction counseling license within 48 months;

(3) providing an education plan, signed by an official of the institution of higher education, including steps to obtain coursework necessary to receive an addiction counselor license;

(4) providing a signed attestation from a prospective employer who intends to offer employment when the applicant receives the student temporary addiction counselor license;

(5) submitting a supervision plan signed by a person who is employed by the

prospective employer and who would be providing supervision to the applicant under K.S.A. 65-6611(i), and amendments thereto. Such supervision plan shall include not less than four hours of supervision per month and not fewer than two supervision meetings per month. A maximum of two hours per month may be in group supervision;

(6) satisfying the board that the applicant is a person who merits the public trust;

(7) attaining 20 years of age; and

(8) paying a fee for a student temporary addiction counselor license established under K.S.A. 65-6618, and amendments thereto.

(h) A student temporary addiction counselor license issued by the board shall expire upon the date the board issues the person a permanent license to practice addiction counseling or 24 months after the date of issuance of the student temporary addiction counselor license. A student temporary addiction counselor license may be renewed for one additional 24-month period by demonstrating:

(1) Evidence of the person's compliance with the education plan, including completion of coursework and remaining in good standing with the institution of higher education;

(2) changes or updates to the education plan signed by a representative of the institution of higher education;

(3) evidence of supervision logs signed by the supervisor and student for the periods of supervision; and

(4) paying a fee for renewal of a student temporary addiction counselor license established under K.S.A. 65-6618, and amendments thereto.

(i) No person may practice addiction counseling under a student temporary addiction counselor license except in a licensed or certified alcohol and other drug abuse program, a certified community behavioral health clinic or a community mental health center, supervised by a person licensed by the behavioral sciences regulatory board as an addiction counselor, master's addiction counselor or clinical addiction counselor or other individual licensed by the behavioral sciences regulatory board holding a license as a master's social worker, specialist clinical social worker, professional counselor, clinical professional counselor, marriage and family therapist, clinical marriage and family therapist, master's level psychologist, clinical psychotherapist or psychologist.

Sec. 24. K.S.A. 2022 Supp. 65-6613 is hereby amended to read as follows: 65-6613. (a) The board may issue a license to an individual who is currently registered, certified or licensed to practice addiction counseling in another jurisdiction if the board determines that:

(1) The standards for registration, certification or licensure to practice addiction counseling in the other jurisdiction are substantially the equivalent of the requirements of the addiction counselor licensure act and rules and regulations of the board; or

(2) the applicant demonstrates on forms provided by the board compliance with the following standards as adopted by the board:

(A) Registration, certification or licensure to practice as an addiction counselor with a similar scope of practice for at least ~~48~~ 54 ~~of the last~~ 12 months immediately preceding the application ~~with at least the minimum professional experience as established by rules and regulations of the board;~~

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency; and

(C) completion of at least a baccalaureate degree from a college or university approved by the board.

(b) The board may issue a license to an individual who is currently registered, certified or licensed to practice addiction counseling at the master's level in another jurisdiction if the board determines that:

(1) (A) The standards for registration, certification or licensure to practice addiction counseling at the master's level in the other jurisdiction are substantially the equivalent of the requirements of the addiction counselor licensure act and rules and regulations of the board; and

(B) completion of at least a master's degree from a college or university approved by the board; or

(2) the applicant demonstrates on forms provided by the board compliance with the following standards as adopted by the board:

(A) Registration, certification or licensure to practice addiction counseling at the master's level with a similar scope of practice for at least ~~48 of the last 54~~ 12 months immediately preceding the application ~~with at least the minimum professional experience as established by rules and regulations of the board;~~

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency; and

(C) completion of at least a master's degree from a college or university approved by the board.

(c) The board may issue a license to an individual who is currently registered, certified or licensed to practice addiction counseling at the clinical level in another jurisdiction if the board determines that:

(1) (A) The standards for registration, certification or licensure to practice addiction counseling at the clinical level in the other jurisdiction are substantially the equivalent of the requirements of the addiction counselor licensure act and rules and regulations of the board; and

(B) the applicant demonstrates completion of at least a master's degree from a college or university approved by the board; or

(2) the applicant demonstrates on forms provided by the board compliance with the following standards as adopted by the board:

(A) Registration, certification or licensure to practice addiction counseling at the clinical level with a similar scope of practice for at least ~~48 of the last 54~~ 12 months immediately preceding the application ~~with at least the minimum professional experience as established by rules and regulations of the board;~~

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency;

(C) completion of at least a master's degree from a college or university approved by the board; and

(D) at least two of the following areas acceptable to the board:

(i) Either coursework as established by rules and regulations of the board or passing a national clinical examination approved by the board;

(ii) three years of clinical practice with demonstrated experience supporting diagnosing or treating substance use disorders; or

(iii) attestation from a professional licensed to diagnose and treat mental disorders, or substance use disorders, or both, in independent practice or licensed to practice

medicine and surgery, stating that the applicant is competent to diagnose and treat substance use disorders.

(d) An applicant for a license under this section shall pay an application fee established by the board under K.S.A. 65-6618, and amendments thereto, if required by the board. Upon notification from the board that all eligibility requirements have been satisfied, the applicant shall submit the license fee as provided in K.S.A. 65-6618, and amendments thereto.

Sec. 25. K.S.A. 65-6614 is hereby amended to read as follows: 65-6614. (a) An applicant who meets the requirements for licensure pursuant to this act, has paid the license fee provided for by K.S.A. 65-6618, and amendments thereto, and has otherwise complied with the provisions of this act shall be licensed by the board.

(b) Licenses issued pursuant to this act shall expire 24 months from the date of issuance unless revoked prior to that time. A license may be renewed upon application and payment of the fee provided for by K.S.A. 65-6618, and amendments thereto. The application for renewal shall be accompanied by evidence satisfactory to the board that the applicant has completed during the previous 24 months the continuing education required by rules and regulations of the board, including not less than three hours in ethics. ~~In addition~~ Prior to July 1, 2025, as part of such continuing education, the master's addiction counselor applicant and the clinical addiction counselor applicant shall complete not less than six continuing education hours relating to diagnosis and treatment of substance use disorders. On and after July 1, 2025, as part of such continuing education, a master's addiction counselor applicant or clinical addiction counselor applicant shall complete not less than three continuing education hours relating to diagnosis and treatment of substance use disorders.

(c) (1) A licensee who is unable to complete the required continuing education hours for renewal may request additional time to complete any remaining continuing education hours. Such request shall be made to the board not later than 30 calendar days prior to the expiration of the license and shall include:

(A) The licensee's reason for requesting additional time, showing extenuating circumstances for why the hours could not be completed during the license period; and

(B) a plan outlining the manner in which the licensee intends to complete the remaining continuing education hours.

(2) The board may grant a licensee up to three additional months beyond the license expiration date to complete the required continuing education hours.

(3) A licensee who receives additional time to complete continuing education hours under this subsection shall:

(A) Renew the license prior to the license expiration date and report to the board the number of continuing education hours completed on such date;

(B) notify the board upon completing the remaining continuing education hours; and

(C) be subject to an audit by the board of the total number of continuing education hours completed for the applicable license period.

(4) Continuing education hours completed during additional time granted under this subsection shall be credited only toward the requirements for the license period for which additional time is granted.

(5) A licensee shall not be approved for additional time to complete continuing education requirements in consecutive license periods.

(d) A person whose license has been suspended or revoked may make written application to the board requesting reinstatement of the license upon termination of the period of suspension or revocation in a manner prescribed by the board, which application shall be accompanied by the fee provided for by K.S.A. 65-6618, and amendments thereto.

(e) (1) A person whose license has expired may make written application to the board requesting reinstatement of the license in a manner prescribed by the board, and such application shall be accompanied by:

(A) The renewal fee established under K.S.A. 65-6618, and amendments thereto, and, for any person whose license has been expired for one year or less, an additional fee equal to the renewal fee; and

(B) evidence satisfactory to the board that the person has completed during the previous 24 months the continuing education requirements for one license period.

(2) A person requesting to reinstate a license that has been expired for longer than one year who has not completed the necessary continuing education hours for reinstatement may submit an application for a six-month reinstatement temporary license in a manner prescribed by the board, and such application shall be accompanied by the fee established under K.S.A. 65-6618, and amendments thereto. A licensee practicing under a six-month reinstatement temporary license shall complete the continuing education requirements required for a permanent license prior to the expiration of the temporary license and notify the board upon such completion. A six-month reinstatement temporary license shall not be extended or renewed.

~~(d)(f)~~ Within 30 days after any change of permanent address, a licensee shall notify the board of such change.

Sec. 26. K.S.A. 65-6618 is hereby amended to read as follows: 65-6618. (a) The board may ~~fix~~ collect the following fees, and any such fees shall be established by rules and regulations adopted by the board:

(1) For application for licensure as an addiction counselor, not to exceed \$150;
 (2) for original licensure as an addiction counselor, not to exceed \$150;
 (3) for renewal for licensure as an addiction counselor, not to exceed \$150;
 (4) for a temporary license as an addiction counselor, not to exceed \$100;
 (5) for a six-month reinstatement temporary license as an addiction counselor, not to exceed \$50;

(6) for a student temporary addiction counselor license, not to exceed \$100;

(7) for renewal for a student temporary addiction counselor license, not to exceed \$100;

(8) for application for licensure as a master's addiction counselor, not to exceed \$150;

~~(6)(9)~~ for original licensure as a master's addiction counselor, not to exceed \$150;

~~(7)(10)~~ for renewal for licensure as a master's addiction counselor, not to exceed \$150;

(11) for a temporary license as a master's addiction counselor, not to exceed \$100;

(12) for a six-month reinstatement temporary license as a master's addiction counselor, not to exceed \$50;

~~(8)(13)~~ for application for licensure as a clinical addiction counselor, not to exceed \$150;

~~(9)(14)~~ for original licensure as a clinical addiction counselor, not to exceed \$150;

~~(10)~~(15) for renewal for licensure as a clinical addiction counselor, not to exceed \$150;

~~(16)~~ for a six-month reinstatement temporary license as a clinical addiction counselor, not to exceed \$50;

~~(11)~~(17) for a temporary permit to practice clinical addiction counseling, not to exceed \$200;

~~(12)~~(18) for extension of a temporary permit to practice clinical addiction counseling, not to exceed \$200;

~~(13)~~(19) for reinstatement of a license, not to exceed \$150;

~~(14)~~(20) for replacement of a license, not to exceed \$20;

~~(15)~~(21) for late renewal penalty, an amount equal to the fee for renewal; and

~~(16)~~(22) for a wallet license, not more than \$5.

(b) The board shall require that fees paid for any examination under the addiction counselor licensure act be paid directly to the examination services by the person taking the examination.

(c) Fees paid to the board are not refundable.

Sec. 27. K.S.A. 65-7504 is hereby amended to read as follows: 65-7504. (a) ~~The board may deny, suspend, revoke or refuse renewal of any license issued under this act if the board finds that the applicant or license holder has~~ refuse to issue, renew or reinstate a license, may condition, limit, revoke or suspend a license, may publicly or privately censure a licensee or may impose a fine not to exceed \$1,000 per violation upon a finding that a licensee or an applicant for licensure has:

(1) Used any controlled substance or alcoholic beverage to an extent that such use impairs such person's ability to perform the work of any profession licensed or regulated by this act.

~~(2) The person has been~~ finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any professional licensed or regulated under this act, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not a sentence is imposed.

(3) Used any fraud, deception or misrepresentation in securing any license issued under this act.

(4) Obtained or attempted to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation.

(5) Committed any act of incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed by the board.

(6) Committed any violation of or assisted or enabled any person to violate any provision of this act or any rule and regulation promulgated thereunder.

(7) Impersonated any person holding a certificate of registration or authority, permit or license or allowed any other person to use such person's certificate of registration or authority, permit, license or diploma from any school.

(8) Been disciplined in any action by another state, territory, federal agency or country which would constitute grounds for a license issued under this act being suspended or revoked.

(9) Been finally adjudged insane or incapacitated by a court of competent

jurisdiction.

(10) Assisted or enabled any person to practice or offer to practice any profession licensed or regulated by the board when such person is not eligible to practice such profession as required by law.

(11) Issued any certificate of registration or authority, permit or license based upon a material mistake of fact.

(12) Failed to display a valid certificate or license if so required by this act or any rules and regulations promulgated thereunder.

(13) Violated any professional trust or confidence.

(14) Used any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed.

(15) Been found ~~guilty of to have engaged in~~ unprofessional conduct ~~or professional incompetency~~ as defined by ~~the board by~~ applicable rules and regulations adopted by the board.

(16) Violated any lawful order or directive of the board previously entered by the board.

~~(b) Any action taken under this section which affects any license or imposes any administrative penalty shall be taken only after notice and an opportunity for a hearing conducted in accordance with the provisions of Administrative proceedings and disciplinary actions regarding licensure under the applied behavior analysis licensure act shall be conducted in accordance with the Kansas administrative procedure act. Judicial review and civil enforcement of agency actions under the applied behavior analysis licensure act shall be in accordance with the Kansas judicial review act.~~

Sec. 28. K.S.A. 65-7505 is hereby amended to read as follows: 65-7505. The board shall ~~promulgate~~ adopt rules and regulations necessary to implement and administer this act. Such rules and regulations shall include, but not be limited to:

(a) The form and content of license applications required and the procedures for filing an application for an initial or renewal license or reinstatement in this state;

(b) the establishment of fees for licenses; and ~~the renewal and reinstatement~~ thereof; to cover all or any part of the cost of administering the provisions of this act;

(c) the educational and training requirements for licensed behavior analysts and licensed assistant behavior analysts;

(d) the roles, responsibilities and duties of licensed behavior analysts and licensed assistant behavior analysts;

(e) the characteristics of supervision and supervised clinical practicum experience for the licensed behavior analysts and the licensed assistant behavior analysts;

(f) the supervision of licensed behavior analysts and licensed assistant behavior analysts;

(g) the requirements for continuing education for licensed behavior analysts and licensed assistant behavior analysts;

(h) standards of professional competency;

(i) standards of professional conduct; and

(j) such other rules and regulations as the board deems necessary to carry out the provisions of this act.

Sec. 29. K.S.A. 74-5302 is hereby amended to read as follows: 74-5302. ~~For the purpose of this act the following definitions shall apply~~ As used in the licensure of

psychologists act of the state of Kansas:

(a) "Board" means the behavioral sciences regulatory board created by K.S.A. 74-7501, and amendments thereto.

(b) "Extenuating circumstances" means any condition or situation caused by events beyond an individual's control that is sufficiently extreme in nature to result in the:

(1) Individual's inability to comply with requirements; or

(2) inadvisability of requiring the individual to comply with requirements.

(c) "License" means a license as a psychologist issued by the board.

(d) "Licensed psychologist" means a person licensed by the board under the provisions of the licensure of psychologists act of the state of Kansas.

(e) "Merits the public trust" means that an applicant or licensee possesses the high standard of good moral character and fitness that is required to practice psychology as demonstrated by the following personal qualities:

(1) Good judgment;

(2) integrity;

(3) honesty;

(4) fairness;

(5) credibility;

(6) reliability;

(7) respect for others;

(8) respect for the laws of this state and the nation;

(9) self-discipline;

(10) self-evaluation;

(11) initiative; and

(12) commitment to the psychology profession and its values and ethics.

(f) "Practice of psychology" means the application of established principles of learning, motivation, perception, thinking and emotional relationships to problems of behavior adjustment, group relations and behavior modification, by persons trained in psychology. The application of such principles includes, but is not restricted to, counseling and the use of psychological remedial measures with persons, in groups or individually, having adjustment or emotional problems in the areas of work, family, school and personal relationships; measuring and testing personality, intelligence, aptitudes, public opinion, attitudes and skills; the teaching of such subject matter; and the conducting of research on problems relating to human behavior, except that in all cases involving the care of the sick and ill as defined by the laws of this state, the primary responsibility devolves upon those licensed under the Kansas healing arts act. The practice of psychology includes the diagnosis and treatment of mental disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the board by rules and regulations. If a licensed psychologist cannot make an independent diagnosis of a mental disorder, such psychologist shall consult with the client's primary care physician or psychiatrist to determine if there may be a medical condition or medication that may be causing or contributing to the client's symptoms of a mental disorder. A client may request in writing that such consultation be waived and such request shall be made a part of the client's record. A licensed psychologist may continue to evaluate and treat the client until such time that the medical consultation is obtained or waived.

(b)(g) "Represents oneself to be a psychologist" means that a person engages in the

practice of psychology for a fee, monetary or otherwise, or holds oneself out to the public by any title or description of services incorporating the word "psychologic," "psychological," "psychologist" or "psychology" and under such title or description offers to render or renders services to individuals, corporations or the public for a fee, monetary or otherwise.

~~(c) "Board" means the behavioral sciences regulatory board created by K.S.A. 74-7501 and amendments thereto.~~

~~(d) "License" means a license as a psychologist issued by the board.~~

~~(e) "Licensed psychologist" means a person licensed by the board under the provisions of this act.~~

Sec. 30. K.S.A. 2022 Supp. 74-5310 is hereby amended to read as follows: 74-5310. (a) The board shall issue a license as a psychologist to any person who pays a nonrefundable application fee prescribed by the board, if required by the board, not in excess of \$225 and, if required by the board, a nonrefundable original license fee not in excess of \$150, who satisfies the board as to such person's training and experience after a thorough review of such person's credentials and who passes a satisfactory examination in psychology. Any person paying the fee ~~must~~ shall also submit evidence verified by oath and satisfactory to the board that such person:

(1) Is at least 21 years of age;

(2) ~~is of good moral character~~ a person who merits the public trust;

(3) has received the doctor's degree based on a program of studies in content primarily psychological from an educational institution having a graduate program with standards consistent with those of the state universities of Kansas, or the substantial equivalent of such program in both subject matter and extent of training; and

(4) has had at least two years of supervised experience, a significant portion of which shall have been spent in rendering psychological services satisfying the board's approved standards for the psychological service concerned.

(b) The board shall adopt rules and regulations establishing the criteria which an educational institution shall satisfy in meeting the requirements established under subsection (a)(3). The board may send a questionnaire developed by the board to any educational institution for which the board does not have sufficient information to determine whether the educational institution meets the requirements of subsection (a) (3) and rules and regulations adopted under this section. The questionnaire providing the necessary information shall be completed and returned to the board in order for the educational institution to be considered for approval. The board may contract with investigative agencies, commissions or consultants to assist the board in obtaining information about educational institutions. In entering such contracts the authority to approve educational institutions shall remain solely with the board.

(c) (1) An individual may apply to the board for a community-based psychologist license to practice psychology in the scope of employment by a community mental health center, as defined in K.S.A. 39-2002, and amendments thereto, a federally qualified health center, as defined in K.S.A. 65-7402, and amendments thereto, a psychiatric residential treatment facility as defined in K.S.A. 39-2002, and amendments thereto, or a private treatment facility as defined in K.S.A. 59-29b46, and amendments thereto.

(2) A community-based psychologist license may be issued by the board after the board reviews and approves the application and the applicant has paid the fee set by the

board for issuance of a community-based psychologist license.

(3) (A) Absent extenuating circumstances approved by the board, a community-based psychologist license issued by the board shall expire:

(i) Upon the date the board issues or denies a license to practice psychology; or

(ii) 24 months after the date of issuance of the community-based psychologist license.

(B) No community-based psychologist license shall be renewed or issued again on any subsequent application for the same license level. This paragraph shall not be construed to limit the number of times an applicant may take the examination.

(4) A person practicing psychology with a community-based psychologist license may use the title "licensed psychologist" or the initials "LP" independently.

(5) No person may practice psychology under a community-based psychologist license except under the supervision of a person licensed by the board to practice at the independent level.

(6) The board shall adopt rules and regulations to set the fee, if required by the board, for the issuance of a community-based psychologist license in an amount not to exceed \$225.

(7) The board shall not issue a community-based psychologist license or temporary psychologist license to an individual who has previously been issued a community-based psychologist license or temporary psychologist license.

Sec. 31. K.S.A. 2022 Supp. 74-5315 is hereby amended to read as follows: 74-5315. (a) The board may grant a license to any person who, at the time of application, is registered, certified or licensed as a psychologist at the doctoral level in another jurisdiction if the board determines that:

(1) The requirements of such jurisdiction for such certification or licensure are substantially the equivalent of the requirements of this state; or

(2) the applicant demonstrates on forms provided by the board compliance with the following standards as adopted by the board:

(A) Registration, certification or licensure as a psychologist at the doctoral level with a similar scope of practice for at least 48 of the last 54 12 months immediately preceding the application with at least the minimum professional experience as established by rules and regulations of the board;

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency; and

(C) a doctoral degree in psychology from a regionally accredited university or college.

(b) An applicant for a license under this section shall pay an application fee established by the board under K.S.A. 74-5310, and amendments thereto, if required by the board. Upon notification from the board that all eligibility requirements have been satisfied, the applicant shall pay the license fee as provided in K.S.A. 74-5310, and amendments thereto.

Sec. 32. K.S.A. 2022 Supp. 74-5316 is hereby amended to read as follows: 74-5316. (a) Upon application, the board may issue temporary licenses to persons who have met all qualifications for licensure under the provisions of the licensure of psychologists act of the state of Kansas, except passage of the required examination, pursuant to K.S.A. 74-5310, and amendments thereto, who have paid the required application and temporary license fees and who have submitted documentation as

required by the board, under the following:

(1) Absent extenuating circumstances approved by the board, a temporary license issued by the board shall expire upon the earlier of the date the board issues or denies a license to practice psychology or two years after the date of issuance of the temporary license. No temporary license shall be renewed or issued again on any subsequent application for licensure under the provisions of the licensure of psychologists act of the state of Kansas. This paragraph shall not limit the number of times that an applicant may take the required examination;

~~(2) the board shall adopt rules and regulations prescribing continuing education requirements for temporary licensees, including, but not limited to, a requirement that temporary licensees shall complete a minimum of 25 contact hours of continuing education during the two-year period of temporary licensure, which shall include a minimum of three hours in psychology ethics;~~

~~(3) no person may shall~~ work under a temporary license except under the supervision of a licensed psychologist as prescribed in rules and regulations adopted by the board; and

~~(4)(3)~~ the fee for such temporary license may be ~~fixed set~~ by the board and shall not exceed \$200, and any such fee shall be established by rules and regulations adopted by the board.

(b) Upon application, the board may issue temporary licenses not to exceed two years to persons who have completed all requirements for a doctoral degree approved by the board but have not received such degree conferral or who have met all qualifications for licensure under provisions of such act, except completion of the postdoctoral supervised work experience pursuant to K.S.A. 74-5310(a)(4), and amendments thereto, who have paid the required application and temporary license fees and who have submitted documentation as required by the board, under the following:

(1) The temporary license shall expire at the end of the two-year period after issuance or if such temporary licensee is denied a license to practice psychology;

(2) the temporary license may be renewed for one additional two-year period;

(3) no temporary license shall be issued again on any subsequent application for licensure under the provisions of the licensure of psychologists act of the state of Kansas. This paragraph shall not limit the number of times that an applicant may take the required examination;

(4) temporary licensees shall be working toward the completion of the postdoctoral supervised work experience prescribed in K.S.A. 74-5310(a)(4), and amendments thereto;

~~(5) the board shall adopt rules and regulations prescribing continuing education requirements for temporary licensees, including, but not limited to, a requirement that temporary licensees shall complete a minimum of 25 contact hours of continuing education during the two-year period of temporary licensure, which shall include a minimum of three hours in psychology ethics;~~

~~(6) no temporary licensee may shall~~ work under a temporary license except under the supervision of a licensed psychologist as prescribed in rules and regulations adopted by the board; and

~~(7)(6)~~ the fee for a renewal of the temporary license may be ~~fixed set~~ by the board and shall not exceed \$200 per issuance, and any such fee shall be established by rules and regulations adopted by the board.

(c) A person practicing psychology with a temporary license ~~may shall~~ not use the title "licensed psychologist" or the initials "LP," independently. The word "licensed" may be used only when preceded by the word "temporary."

(d) This section shall be a part of and supplemental to the provisions of article 53 of chapter 74 of the Kansas Statutes Annotated, and amendments thereto.

(e) As used in this section, "temporary licensee" means any person practicing psychology with a temporary license pursuant to subsection (a) or (b).

Sec. 33. K.S.A. 74-5318 is hereby amended to read as follows: 74-5318. (a) An application for renewal shall be accompanied by evidence satisfactory to the board that the applicant has completed, during the previous 24 months, the continuing education required by rules and regulations of the board. Prior to July 1, 2025, as part of such continuing education, a licensed psychologist shall complete not less than six continuing education hours relating to diagnosis and treatment of mental disorders and not less than three continuing education hours of professional ethics. On and after July 1, 2025, as part of such continuing education, a licensee shall complete not less than three continuing education hours relating to diagnosis and treatment of mental disorders and not less than three continuing education hours of professional ethics.

(b) (1) A licensee who is unable to complete the required continuing education hours for renewal may request additional time to complete any remaining continuing education hours. Such request shall be made to the board not later than 30 calendar days prior to the expiration of the license and shall include:

(A) The licensee's reason for requesting additional time, showing extenuating circumstances for why the hours could not be completed during the license period; and

(B) a plan outlining the manner in which the licensee intends to complete the remaining continuing education hours.

(2) The board may grant a licensee up to three additional months beyond the license expiration date to complete the required continuing education hours.

(3) A licensee who receives additional time to complete continuing education hours under this subsection shall:

(A) Renew the license prior to the license expiration date and report to the board the number of continuing education hours completed on such date;

(B) notify the board upon completing the remaining continuing education hours; and

(C) be subject to an audit by the board of the total number of continuing education hours completed for the applicable license period.

(4) Continuing education hours completed during additional time granted under this subsection shall be credited only toward the requirements for the license period for which additional time is granted.

(5) A licensee shall not be approved for additional time to complete continuing education requirements in consecutive license periods.

(c) A licensee shall submit the application to the board with a renewal fee ~~fixed set~~ by rules and regulations of the board not to exceed \$200. Upon receipt of such application and fee, the board shall issue a renewal license for the period commencing on the date on which the license is issued and expiring on June 30 of the next even-numbered year. Initial licenses shall be for the current biennium of registration.

~~(e)~~(d) Applications for renewal of a license shall be made biennially on or before ~~July 1~~ June 30 and, if not so made, an additional fee equal to the renewal fee shall be

added to the regular renewal fee.

~~(d)~~(e) Any psychologist who has failed to renew a license and continues to represent oneself as a psychologist after ~~July 1~~ June 30 shall be in violation of the licensure of psychologists act of the state of Kansas. ~~The board may suspend or revoke such psychologist's license under the provisions of K.S.A. 74-5324, and amendments thereto.~~

(f) A person whose license has been suspended or revoked may make written application to the board requesting reinstatement of the license upon termination of the period of suspension or revocation. Such application shall be in a manner prescribed by the board and accompanied by a reinstatement fee not to exceed \$200 prescribed by the board in rules and regulations.

(g) (1) A person whose license has expired may make written application to the board requesting reinstatement of the license in a manner prescribed by the board, and such application shall be accompanied by:

(A) The required renewal fee and, for any person whose license has been expired for one year or less, an additional fee equal to the renewal fee; and

(B) evidence satisfactory to the board that the person has completed during the previous 24 months the continuing education requirements for one license period.

(2) A person requesting to reinstate a license that has been expired for longer than one year who has not completed the necessary continuing education hours for reinstatement may submit an application for a six-month reinstatement temporary license in a manner prescribed by the board, and such application shall be accompanied by a fee not to exceed \$50 prescribed by the board in rules and regulations. A licensee practicing under a six-month reinstatement temporary license shall complete the continuing education requirements required for a permanent license prior to the expiration of the temporary license and notify the board upon such completion. A six-month reinstatement temporary license shall not be extended or renewed.

~~(e)~~(h) Within 30 days after any change of permanent address, a licensee shall notify the board of such change.

Sec. 34. K.S.A. 74-5361 is hereby amended to read as follows: 74-5361. As used in ~~this the licensure of master's level psychologists act:~~

~~(a) "Practice of psychology" shall have the meaning ascribed thereto in K.S.A. 74-5302 and amendments thereto.~~

~~(b) "Board" means the behavioral sciences regulatory board created by K.S.A. 74-7501, and amendments thereto.~~

(b) "Extenuating circumstances" means any condition or situation caused by events beyond an individual's control that is sufficiently extreme in nature to result in the:

(1) Individual's inability to comply with requirements; or

(2) inadvisability of requiring the individual to comply with requirements.

(c) "Licensed clinical psychotherapist" means a person licensed by the board under the licensure of master's level psychologists act who engages in the independent practice of master's level psychology, including the diagnosis and treatment of mental disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the board by rules and regulations.

(d) "Licensed master's level psychologist" means a person licensed by the board under the provisions of ~~this the licensure of master's level psychologists act.~~

~~(d) "Licensed clinical psychotherapist" means a person licensed by the board under this act who engages in the independent practice of master's level psychology including the diagnosis and treatment of mental disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the board by rules and regulations.~~

(e) "Master's level psychology" means the practice of psychology pursuant to the restrictions set out in K.S.A. 74-5362, and amendments thereto, and includes the diagnosis and treatment of mental disorders as authorized under K.S.A. 74-5361 et seq., and amendments thereto.

(f) "Practice of psychology" means the same as defined in K.S.A. 74-5302, and amendments thereto.

Sec. 35. K.S.A. 2022 Supp. 74-5363 is hereby amended to read as follows: 74-5363. (a) Any person who desires to be licensed under this act shall apply to the board in writing, on forms prepared and furnished by the board. Each application shall contain appropriate documentation of the particular qualifications required by the board and shall be accompanied by the required fee.

(b) The board shall license as a licensed master's level psychologist any applicant for licensure who pays the fee prescribed by the board under K.S.A. 74-5365, and amendments thereto, which shall not be refunded, who has satisfied the board as to such applicant's training and who complies with the provisions of this subsection. An applicant for licensure also shall submit evidence satisfactory to the board that such applicant:

- (1) Is at least 21 years of age;
- (2) has satisfied the board that the applicant is a person who merits public trust;
- (3) has received at least 60 graduate hours including a master's degree in psychology based on a program of studies in psychology from an educational institution having a graduate program in psychology consistent with state universities of Kansas; or until July 1, 2003, has received at least a master's degree in psychology and during such master's or post-master's coursework completed a minimum of 12 semester hours or its equivalent in psychological foundation courses such as, but not limited to, philosophy of psychology, psychology of perception, learning theory, history of psychology, motivation, and statistics and 24 semester hours or its equivalent in professional core courses such as, but not limited to, two courses in psychological testing, psychopathology, two courses in psychotherapy, personality theories, developmental psychology, research methods, social psychology; or has passed comprehensive examinations or equivalent final examinations in a doctoral program in psychology and during such graduate program completed a minimum of 12 semester hours or its equivalent in psychological foundation courses such as, but not limited to, philosophy of psychology, psychology of perception, learning theory, history of psychology, motivation; and statistics and 24 semester hours or its equivalent in professional core courses such as, but not limited to, two courses in psychological testing, psychopathology, two courses in psychotherapy, personality theories, developmental psychology, research methods, social psychology;
- (4) has completed 750 clock hours of academically supervised practicum in the master's degree program or 1,500 clock hours of postgraduate supervised work experience; and
- (5) has passed an examination approved by the board with a minimum score set by

the board by rules and regulations.

(c) (1) Applications for licensure as a clinical psychotherapist shall be made to the board on a form and in the manner prescribed by the board. Each applicant shall furnish evidence satisfactory to the board that the applicant:

(A) Is licensed by the board as a licensed master's level psychologist or meets all requirements for licensure as a master's level psychologist;

(B) has completed 15 credit hours as part of or in addition to the requirements under subsection (b) supporting diagnosis or treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual, through identifiable study of: Psychopathology, diagnostic assessment, interdisciplinary referral and collaboration, treatment approaches and professional ethics;

(C) has completed a graduate level supervised clinical practicum of supervised professional experience including psychotherapy and assessment with individuals, couples, families or groups, integrating diagnosis and treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual, with not less than 350 hours of direct client contact or additional postgraduate supervised experience as determined by the board;

(D) has completed not less than two years of postgraduate supervised professional experience in accordance with a clinical supervision plan approved by the board of not less than 3,000 hours of supervised professional experience including at least 1,500 hours of direct client contact conducting psychotherapy and assessments with individuals, couples, families or groups and not less than 100 hours of face-to-face clinical supervision, as defined by the board in rules and regulations, including not less than 50 hours of individual supervision, except that the board may waive the requirement that such supervision be face-to-face upon a finding of extenuating circumstances, integrating diagnosis and treatment of mental disorders with use of the American psychiatric association's diagnostic and statistical manual;

(E) for persons earning a degree under subsection (b) prior to July 1, 2003, in lieu of the education requirements under subparagraphs (B) and (C), has completed the education requirements for licensure as a licensed master's level psychologist in effect on the day immediately preceding the effective date of this act;

(F) for persons who apply for and are eligible for a temporary master's level psychology license to practice as a licensed master's level psychologist on the day immediately preceding the effective date of this act, in lieu of the education and training requirements under subparagraphs (B), (C) and (D), has completed the education and training requirements for licensure as a master's level psychologist in effect on the day immediately preceding the effective date of this act;

(G) has passed an examination approved by the board with the same minimum passing score as that set by the board for licensed psychologists; and

(H) has paid the application fee; if required by the board and, upon notification from the board that all eligibility requirements have been satisfied, paid the license fee.

(2) A person who was licensed or registered as a master's level psychologist in Kansas at any time prior to the effective date of this act, who has been actively engaged in the practice of master's level psychology as a registered or licensed master's level psychologist within five years prior to the effective date of this act and whose last license or registration in Kansas prior to the effective date of this act was not suspended or revoked, upon application to the board, payment of fees and completion of applicable

continuing education requirements, shall be licensed as a licensed clinical psychotherapist by providing demonstration of competence to diagnose and treat mental disorders through at least two of the following areas acceptable to the board:

(A) Either: (i) Graduate coursework; or (ii) passing a national, clinical examination;
(B) either: (i) Three years of clinical practice in a community mental health center, its contracted affiliate or a state mental hospital; or (ii) three years of clinical practice in other settings with demonstrated experience in diagnosing or treating mental disorders;
or

(C) attestation from one professional licensed to diagnose and treat mental disorders in independent practice or licensed to practice medicine and surgery that the applicant is competent to diagnose and treat mental disorders.

(3) A licensed clinical psychotherapist may engage in the independent practice of master's level psychology and is authorized to diagnose and treat mental disorders specified in the edition of the diagnostic and statistical manual of mental disorders of the American psychiatric association designated by the board by rules and regulations. When a client has symptoms of a mental disorder, a licensed clinical psychotherapist shall consult with the client's primary care physician or psychiatrist to determine if there may be a medical condition or medication that may be causing or contributing to the client's symptoms of a mental disorder. A client may request in writing that such consultation be waived and such request shall be made a part of the client's record. A licensed clinical psychotherapist may continue to evaluate and treat the client until such time that the medical consultation is obtained or waived.

(d) The board shall adopt rules and regulations establishing the criteria that an educational institution shall satisfy in meeting the requirements established under subsection (b)(3). The board may send a questionnaire developed by the board to any educational institution for which the board does not have sufficient information to determine whether the educational institution meets the requirements of subsection (b) (3) and rules and regulations adopted under this section. The questionnaire providing the necessary information shall be completed and returned to the board in order for the educational institution to be considered for approval. The board may contract with investigative agencies, commissions or consultants to assist the board in obtaining information about educational institutions. In entering such contracts the authority to approve educational institutions shall remain solely with the board.

(e) (1) An individual may apply to the board for a community-based master's level psychologist license to practice master's level psychology in the scope of employment by a community mental health center, as defined in K.S.A. 39-2002, and amendments thereto, a federally qualified health center as defined in KSA 65-7402, and amendments thereto, a psychiatric residential treatment facility as defined in KSA 39-2002, and amendments thereto, or a private treatment facility as defined in K.S.A. 59-29b46, and amendments thereto.

(2) A community-based master's level psychologist license may be issued by the board after the board reviews and approves the application and the applicant has paid the fee set by the board for issuance of a community-based master's level psychologist license.

(3) (A) Absent extenuating circumstances approved by the board, a community-based master's level psychologist license issued by the board shall expire:

(i) Upon the date the board issues or denies a license to practice master's level

psychology; or

(ii) 24 months after the date of issuance of the community-based master's level psychologist license.

(B) No community-based master's level psychologist license shall be renewed or issued again on any subsequent application for the same license level. This paragraph shall not be construed to limit the number of times an applicant may take the examination.

(4) A person practicing master's level psychology with a community-based master's level psychologist license may use the title "licensed master's level psychologist" or the initials "LMLP" independently.

(5) No person may practice master's level psychology under a community-based master's level psychologist license except under the supervision of a person licensed to practice psychology or master's level psychology in Kansas.

(6) The board shall adopt rules and regulations to set the fee, if required by the board, for the issuance of a community-based master's level psychologist license in an amount not to exceed \$100.

(7) The board shall not issue a community-based master's level psychologist license or temporary master's level psychologist license to an individual who has previously been issued a community-based master's level psychologist license or temporary master's level psychologist license.

Sec. 36. K.S.A. 74-5365 is hereby amended to read as follows: 74-5365. (a) The following fees may be ~~fixed set~~ by the board for licensure under the licensure of master's level psychologists act: For application, issuance of a new license and renewal of a license, an amount not to exceed \$200; for replacement of a license, an amount not to exceed \$20; and for a wallet card license, an amount not to exceed \$5. Any such fees required by the board shall be established by rules and regulations adopted by the board.

(b) Fees paid to the board are not refundable.

(c) The application for renewal shall be accompanied by evidence satisfactory to the board that the applicant has completed, during the previous 24 months, the continuing education required by rules and regulations of the board. Prior to July 1, 2025, as part of such continuing education, a licensed master's level psychologist and a licensed clinical psychotherapist shall complete not less than six continuing education hours relating to diagnosis and treatment of mental disorders and not less than three continuing education hours of professional ethics. On and after July 1, 2025, as part of such continuing education, a licensee shall complete not less than three continuing education hours relating to diagnosis and treatment of mental disorders and not less than three continuing education hours of professional ethics.

(d) (1) A licensee who is unable to complete the required continuing education hours for renewal may request additional time to complete any remaining continuing education hours. Such request shall be made to the board not later than 30 calendar days prior to the expiration of the license and shall include:

(A) The licensee's reason for requesting additional time, showing extenuating circumstances for why the hours could not be completed during the license period; and

(B) a plan outlining the manner in which the licensee intends to complete the remaining continuing education hours.

(2) The board may grant a licensee up to three additional months beyond the license expiration date to complete the required continuing education hours.

(3) A licensee who receives additional time to complete continuing education hours under this subsection shall:

(A) Renew the license prior to the license expiration date and report to the board the number of continuing education hours completed on such date;

(B) notify the board upon completing the remaining continuing education hours; and

(C) be subject to an audit by the board of the total number of continuing education hours completed for the applicable license period.

(4) Continuing education hours completed during additional time granted under this subsection shall be credited only toward the requirements for the license period for which additional time is granted.

(5) A licensee shall not be approved for additional time to complete continuing education requirements in consecutive license periods.

(e) Within 30 days after any change of permanent address, a licensee shall notify the board of such change.

Sec. 37. K.S.A. 74-5366 is hereby amended to read as follows: 74-5366. (a) All licenses shall be effective upon the date issued and shall expire at the end of 24 months from the date of issuance.

(b) A license may be renewed by the payment of the renewal fee and the execution and submission of a signed statement, on a form provided by the board, attesting that the applicant's license has been neither revoked nor currently suspended and that the applicant has met the requirements for continuing education set forth in this act.

~~(c) If the application for renewal, including payment of the required renewal fee, is not made on or before the date of the expiration of the license, the license is void, and no license shall be reinstated except upon payment of the required renewal fee, plus a penalty equal to the renewal fee, and proof satisfactory to the board of compliance with the continuing education requirements. Upon receipt of such payment and proof, the board shall reinstate the license.~~

~~(d) A person whose license has been suspended or revoked may make written application to the board requesting reinstatement of the license upon termination of the period of suspension or revocation. Such application shall be in a manner prescribed by the board and accompanied by a reinstatement fee.~~

~~(d) (1) A person whose license has expired may make written application to the board requesting reinstatement of the license in a manner prescribed by the board, and such application shall be accompanied by:~~

~~(A) A reinstatement fee, and, for any person whose license has been expired for one year or less, a penalty established by the board in rules and regulations; and~~

~~(B) evidence satisfactory to the board that the person has completed during the previous 24 months the continuing education requirements for one license period.~~

~~(2) A person requesting to reinstate a license that has been expired for longer than one year who has not completed the necessary continuing education hours for reinstatement may submit an application for a six-month reinstatement temporary license in a manner prescribed by the board, and such application shall be accompanied by a fee of \$25. A licensee practicing under a six-month reinstatement temporary license shall complete the continuing education requirements required for a permanent license prior to the expiration of the temporary license and notify the board upon such completion. A six-month reinstatement temporary license shall not be extended or~~

renewed.

(e) A duplicate license shall be issued by the board upon receipt of a \$20 fee.

(f) A person registered as a masters level psychologist on December 30, 1996, shall be deemed to be a licensed masters level psychologist under this act. Such person shall not be required to file an original application for licensure under this act, but shall apply to the board for a license in lieu of registration upon payment of the fee set by the board for renewal of license. Any application for registration filed but which has not been granted prior to January 1, 1997, shall be processed as an application for licensure pursuant to this act. For exchange of a license in lieu of registration pursuant to this subsection, a fee not to exceed \$100.

(g) The board shall collect a fee not to exceed \$100 for exchange of a license in lieu of a registration pursuant to subsection (f).

Sec. 38. K.S.A. 74-5367 is hereby amended to read as follows: 74-5367. (a) The board may issue a temporary master's level psychology license to practice as a licensed master's level psychologist to any person who pays a nonrefundable fee prescribed by the board under this section, ~~which shall not be refunded,~~ and who meets all the requirements for licensure under K.S.A. 74-5361 et seq., and amendments thereto, as a licensed master's level psychologist except the requirement of postgraduate supervised work experience or passing the licensing examination, or both.

(b) Absent extenuating circumstances approved by the board, a temporary master's level psychology license issued by the board shall expire upon the date the board issues or denies a license to practice master's level psychology or 24 months after the date of issuance of the temporary master's level psychology license. No temporary master's level psychology license issued by the board ~~will shall~~ be renewed or issued again on any subsequent applications for the same license level. ~~The preceding provision in no way limits~~ This subsection shall not limit the number of times an applicant may take the examination.

(c) The board may fix a fee for the application of the temporary master's level psychology license. The application fee shall not exceed \$100. Any such fee shall be established by rules and regulations adopted by the board.

(d) A person practicing master's level psychology with a temporary master's level psychology license ~~may shall~~ not use the title "licensed master's level psychologist" or the initials "LMLP" independently. The word "licensed" may be used only when followed by the words "by temporary license" such as licensed master's level psychologist by temporary license, or master's level psychologist licensed by temporary license.

(e) No person ~~may shall~~ work under a temporary master's level psychology license except under the supervision of a person licensed to practice psychology or master's level psychology in Kansas.

(f) The application for a temporary master's level psychology license may be denied or a temporary master's level psychology license ~~which that~~ has been issued may be suspended or revoked on the same grounds as provided for suspension or revocation of a license under K.S.A. 74-5369, and amendments thereto.

(g) Nothing in this section shall affect any temporary license to practice issued under this section prior to the effective date of this act and in effect on the effective date of this act. Such temporary license shall be subject to the provisions of this section in effect at the time of its issuance and shall continue to be effective until the date of

expiration of the license as provided under this section at the time of issuance of such temporary license.

Sec. 39. K.S.A. 2022 Supp. 74-5375 is hereby amended to read as follows: 74-5375. (a) The behavioral sciences regulatory board may issue a license to an individual who is currently registered, certified or licensed to practice psychology at the master's level in another jurisdiction if the board determines that:

(1) The standards for registration, certification or licensure to practice psychology at the master's level in the other jurisdiction are substantially equivalent to the requirements of this state; or

(2) the applicant demonstrates, on forms provided by the board, compliance with the following standards adopted by the board:

(A) Registration, certification or licensure to practice psychology at the master's level with a similar scope of practice for at least ~~48 of the last 54~~ 12 months immediately preceding the application ~~with at least the minimum professional experience as established by rules and regulations of the board;~~

(B) the absence of disciplinary actions of a serious nature brought by a registration, certification or licensing board or agency; and

(C) at least a master's degree in psychology from a regionally accredited university or college.

(b) Applicants for licensure as a clinical psychotherapist shall additionally demonstrate competence to diagnose and treat mental disorders through meeting the requirements of either subsection (a)(1) or (a)(2) and at least two of the following areas acceptable to the board:

(1) Either graduate coursework as established by rules and regulations of the board or passing a national clinical examination approved by the board;

(2) three years of clinical practice with demonstrated experience in diagnosing or treating mental disorders; or

(3) attestation from a professional licensed to diagnose and treat mental disorders in independent practice or licensed to practice medicine and surgery, stating that the applicant is competent to diagnose and treat mental disorders.

(c) An applicant for a license under this section shall pay an application fee established by the board under K.S.A. 74-5365, and amendments thereto, if required by the board. Upon notification from the board that all eligibility requirements have been satisfied, the applicant shall pay the license fee as provided in K.S.A. 74-5365, and amendments thereto.

Sec. 40. K.S.A. 74-7501 is hereby amended to read as follows: 74-7501. (a) There is hereby created a behavioral sciences regulatory board consisting of 12 members appointed by the governor. The membership of the board shall be as follows: Two members of the board shall be licensed psychologists; two members of the board shall be licensed to engage in the practice of social work; one member of the board shall be a professional counselor; one member of the board shall be a marriage and family therapist ~~and~~; one member of the board shall be a licensed ~~masters~~ master's level psychologist or a licensed clinical psychotherapist; one member of the board shall be a licensed addiction counselor, a licensed master's addiction counselor or a licensed clinical addiction counselor; and four members of the board shall be from and represent the general public. Each member of the board shall be a citizen of the United States and a resident of this state.

(b) The term of office of each member of the board shall be four years. No member of the board shall be appointed for more than two successive terms. Upon the expiration of a member's term of office, the governor shall appoint a qualified successor. Each member shall serve until a successor is appointed and qualified. Whenever a vacancy occurs in the membership of the board prior to the expiration of a term of office, the governor shall appoint a qualified successor to fill the unexpired term. The governor may remove any member of the board for misconduct, incompetency or neglect of duty.

(c) The board shall organize annually at its first meeting subsequent to June 30 and shall select from its members a chairperson and a ~~vice chairperson~~ vice chairperson. Other meetings shall be held as the board designates. A majority of members appointed to the board shall constitute a quorum for the transaction of business.

(d) The board may appoint an executive director who shall be in the unclassified service of the Kansas civil service act and shall receive an annual salary ~~fixed set~~ set by the board, subject to approval by the governor. The board may employ clerical personnel and other assistants, all of whom shall be in the ~~classified~~ unclassified service under the Kansas civil service act. The board may make and enter into contracts of employment with such professional personnel as necessary, in the board's judgment, for the performance of its duties and functions and the execution of its powers.

(e) Members of the behavioral sciences regulatory board attending meetings of the board, or attending a subcommittee meeting thereof authorized by the board, shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto.";

Also on page 6, in line 31, by striking "is" and inserting ", 65-5802, 65-5806, 65-6302, 65-6313, 65-6314, 65-6402, 65-6407, 65-6608, 65-6614, 65-6618, 65-7504, 65-7505, 74-5302, 74-5318, 74-5339, 74-5361, 74-5365, 74-5366, 74-5367 and 74-7501 and K.S.A. 2022 Supp. 65-5804a, 65-5807, 65-5808, 65-6306, 65-6309, 65-6322, 65-6404, 65-6405, 65-6406, 65-6411, 65-6610, 65-6611, 65-6613, 74-5310, 74-5315, 74-5316, 74-5363 and 74-5375 are";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, by striking "the"; in line 2, by striking "thereof" and inserting "of the state board of healing arts"; in line 8, by striking all after "thereto"; by striking all in lines 9 and 10; in line 11, by striking all before the semicolon; in line 13, after the semicolon by inserting "relating to the behavioral sciences; relating to licensure and regulation of professional counselors, social workers, marriage and family therapists, addiction counselors, behavior analysts, psychologists and master's level psychologists; requiring the behavioral sciences regulatory board to process applications within a certain time and establish an expedited application process; providing reduced diagnosis and treatment continuing education requirements; establishing license categories for applicants from social work programs in candidacy for accreditation and for temporary reinstatement; extending the license period of temporary licenses; establishing a community-based license for professional counselors, social workers, master's level social workers; marriage and family therapists, psychologists and master's level psychologists;"; also in line 13, after "65-1635a" by inserting ", 65-5802, 65-5806, 65-6302, 65-6313, 65-6314, 65-6402, 65-6407, 65-6608, 65-6614, 65-6618, 65-7504, 65-7505, 74-5302, 74-5318, 74-5361, 74-5365, 74-5366, 74-5367 and 74-7501 and K.S.A. 2022 Supp. 65-5804a, 65-5807, 65-5808, 65-6306, 65-6309, 65-6322, 65-6404, 65-6405, 65-6406, 65-6411, 65-6610, 65-6611, 65-6613,

74-5310, 74-5315, 74-5316, 74-5363 and 74-5375"; in line 14, by striking "section" and inserting "sections; also repealing K.S.A. 74-5339";

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

BRENDA LANDWEHR

JOHN EPLEE

SUSAN RUIZ

Conferees on part of House

BEVERLY GOSSAGE

RENEE ERICKSON

PAT PETTEY

Conferees on part of Senate

Senator Gossage moved the Senate adopt the Conference Committee Report on **Sub SB 131**.

On roll call, the vote was: Yeas 38; Nays 2; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Olson, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Straub, Sykes, Tyson, Ware, Warren, Wilborn.

Nays: Steffen, Thompson.

The Conference Committee Report was adopted.

EXPLANATION OF VOTE

The timing of the passage of **Sub SB 131** couldn't be better with the NFL draft kicking off tonight. As one of four states that does not have provisions to allow team doctors and other healthcare providers to work on their players when visiting Kansas for an event, this bill puts in place a critical process that is needed for sports teams to ensure the safety of their players while visiting our great state. It also fixes an issue that was inhibiting schools like the University of Saint Mary from building much needed programs that help Kansas train professionals to address mental health issues in our state. I vote AYE.—JEFF PITTMAN

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to SB 174 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 25 through 34;

On page 2, by striking all in lines 1 through 24;

On page 8, in line 2, by striking all after "means"; in line 3, by striking all before the period and inserting "an individual who is licensed, registered, certified or otherwise authorized by the state of Kansas to provide healthcare services in this state";

On page 16, in line 33, by striking "who has" and inserting ", other than fleeing by

operation of a motor vehicle, when the law enforcement officer has:

(A)";

Also on page 16, in line 34, by striking all after "thereto"; in line 35, by striking all before the period and inserting "; and

(B) given the person visual or audible signal to stop";

On page 21, following line 19, by inserting:

"(i) The sentence for a violation of K.S.A. 2022 Supp. 21-5703 or 21-5705, and amendments thereto, shall be presumed imprisonment and shall be two times the maximum duration of the presumptive term of imprisonment if the trier of fact makes a finding beyond a reasonable doubt that the controlled substance involved, because of its appearance or packaging, was likely to be attractive to minors. Such sentence shall not be considered a departure and shall not be subject to appeal.";

Also on page 21, in line 39, by striking "any crime" and inserting "theft as defined in K.S.A. 2022 Supp. 21-5801, and amendments thereto, a violation of the Kansas racketeer influenced and corrupt organizations act, K.S.A. 2022 Supp. 21-6327 et seq., and amendments thereto,"; in line 41, by striking "any crime" and inserting "such crimes";

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 "increasing"; in line 12, after "substances" by inserting "and for manufacturing or distributing any controlled substances that are likely to be attractive to minors because of their appearance or packaging"; in line 18, by striking "any crime that is" and inserting "certain crimes that are";

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

STEPHEN OWENS

ERIC SMITH

BOOG HIGHBERGER

Conferees on part of House

KELLIE WARREN

RICK WILBORN

ETHAN CORSON

Conferees on part of Senate

Senator Warren moved the Senate adopt the Conference Committee Report on **SB 174**.

On roll call, the vote was: Yeas 31; Nays 7; Present and Passing 2; Absent or Not Voting 0.

Yeas: Alley, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Erickson, Fagg, Gossage, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Sykes, Tyson, Warren, Wilborn.

Nays: Baumgardner, Doll, Faust-Goudeau, Haley, Olson, Straub, Thompson.

Present and Passing: Francisco, Ware.

The Conference Committee Report was adopted.

President Masterson assumed the chair.

ORIGINAL MOTIONS

Having voted on the prevailing side, Senator McGinn moved to reconsider previous action on **H Sub SB 169**.

Upon the showing of five hands a roll call vote was requested.

On roll call, the vote was: Yeas 25; Nays 14; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Petersen, Ryckman, Shallenburger, Steffen, Thompson, Tyson, Warren, Wilborn.

Nays: Corson, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Olson, Pettey, Pittman, Pyle, Reddi, Sykes, Ware.

Present and Passing: Straub.

Having failed to reach a 2/3 constitutional majority, the motion failed.

On motion of Senator Alley, the Senate adjourned until 10:00 a.m., Friday, April 28, 2023.

Journal of the Senate

SIXTY-FOURTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, April 28, 2023, 10:00 a.m.

The Senate was called to order by President Ty Masterson.
The roll was called with 40 senators present.
Invocation by Reverend Cecil T. Washington:

“Let us enter His presence with thanksgiving;
Let us make a joyful noise to Him in song.” Psalm 95:2

How Can I Say Thanks, for the things You have done for me?
Things so undeserved, yet You gave to prove Your love for me.
The voices of a million angels could not express my gratitude.
All that I am or ever hope to be, I owe it all to Thee
To God Be The Glory! To God Be The Glory! To God Be The Glory!
For the things You have done!
Just let me live my life that it be pleasing Lord to Thee
And should I gain any praise, let it go to Calvary
With Your Love, You have saved me.
With Your power, You have raised me.
To God Be The Glory! To God Be The Glory! To God Be The Glory!
For the things You have done! Amen!

The Pledge of Allegiance was led by President Masterson.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Bowers and Billinger introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1726—

A RESOLUTION honoring the legendary Kansas
sculptor Pete Felten on his 90th birthday.

WHEREAS, The legendary sculptor, iconic artist and lifelong Kansan Pete Felten Jr., was born in April 1933 in Hays, Kansas; and

WHEREAS, While attending Hays High School, Felten was recognized as a track star and expert swimmer; and

WHEREAS, After graduating high school, Felten enrolled in courses at Fort Hays State University and served in the U.S. Navy from 1952 through 1956; and

WHEREAS, Shortly after serving his country, Felten started sculpting limestone in

1957 at the age of 24; and

WHEREAS, Felten is described as a gracious, sharing and contributing member of the Hays community; and

WHEREAS, Felten's limestone works have made him a cultural, historic and renowned icon in Hays, the State of Kansas and the United States of America; and

WHEREAS, With just a hammer and a chisel, Felten has crafted hundreds of limestone landmarks, monuments and symbols throughout Kansas; and

WHEREAS, In 1961, Felten finished Buffalo Bill Cody, Felten's first large commissioned piece, located in front of the Hays Public Library; and

WHEREAS, In 1967, Felten completed Monarch of the Plains, a monstrous 8-foot-high, 24-ton sculpture at the historic Fort Hays, just off U.S. Highway 183, to commemorate the centennial of the City of Hays; and

WHEREAS, In 1976, Felten created the Hereford Bull, located at the Kansas State University Agricultural Research Center, to commemorate the center's 75th anniversary celebration in 1976; and

WHEREAS, In the early 1980s, Felten was commissioned to carve for the Kansas State Capitol the likeness of four prominent Kansans, namely, former U.S. President Dwight D. Eisenhower, aviation pioneer Amelia Earhart, Topeka journalist and former U.S. Senator Arthur Capper and Emporia journalist William Allen White; and

WHEREAS, In Hays, Felten meticulously carved the sculptures of the same four famous Kansans out of Silverdale limestone, which came from southeastern Kansas, during a three-year span; and

WHEREAS, Later, the sculptures of the four famous Kansans were moved east 200-some miles down Interstate 70, to be displayed in the rotunda of the Kansas State Capitol; and

WHEREAS, Kansas State Capitol visitors will be able to enjoy, learn and appreciate Felten's four famous Kansans sculptures for generations to come: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we honor the sculptor Pete Felten on his 90th birthday; and

Be it further resolved: That we celebrate the hundreds of limestone creations sculpted by Felten, including his four famous Kansans in the Kansas State Capitol; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Senator Bowers.

On emergency motion of Senator Bowers **SR 1726** was adopted by voice vote.

Senator Haley introduced the following Senate resolution, which was read:
SENATE RESOLUTION No. 1727—

A RESOLUTION commemorating the 100th anniversary of the
Kansas state capitol cage elevator and its historical significance for the state.

WHEREAS, The year 2023 marks the 100th anniversary of the installation and operation of the Kansas state capitol cage elevator; and

WHEREAS, The Kansas Legislature envisioned and appropriated \$35,000 for the construction of the innovation of an elevator in 1923; and

WHEREAS, It is critical that historical items of lasting interest are preserved; and

WHEREAS, There is a particular age for objects to be considered outdated and yet not rare enough to be considered worth of preservation; and

WHEREAS, Every day, school children can be seen closely studying the mechanical operation of the historic cage elevator; and

WHEREAS, Kansas is unique in many ways. This state is the heart of the nation and the crossroads of the continent, born out of a struggle for human freedom; and

WHEREAS, Few can criticize this state for any lag in mechanical advances, as many of the airplanes that operate around the world hail from the plains of Kansas; and

WHEREAS, In 1976, Senate Concurrent Resolution No. 1650 was sponsored by Senator Bill Mulich. This resolution declared the Kansas state capitol cage elevator to be a historic item and requested state officials to preserve it in operating condition; and

WHEREAS, In 1989, the Kansas state capitol cage elevator was showcased in the film *Cross of Fire*, which narrated the rise and fall of the 1920's Ku Klux Klan leader D.C. Stephenson; and

WHEREAS, In 2016, Senate Bill No. 443, sponsored by Senator David Haley and the entirety of the Kansas Senate, designated the Kansas state capitol cage elevator as the official cage elevator for the state of Kansas and enforced that the elevator continue to be maintained in operating condition: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we commemorate and honor the historical importance of the Kansas state capitol cage elevator and celebrate its 100th anniversary of operation; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy to the Kansas Historical Society, the Kansas State Architect, the Elevator Safety Advisory Board, Ben Voloch and Senator Haley.

On emergency motion of Senator Haley **SR 1727** was adopted by voice vote.

SPECIAL REMARKS

Mr. President, Gentle Colleagues: Today I am personally elevated to bestow special recognition on a unique and treasured mechanical feature of our exquisite Statehouse. **SR 1727** commemorates the 100th Anniversary of the Kansas State Capitol's cage elevator, located on the East wing of the "Senate side." David Haley, and much of the Haley family, have long admired and respected history. As many of you know, my late uncle, Alex Haley, explored America's personal history by tracing a part of our family back to the Gambia, West Africa in the epic saga *ROOTS* and, on a more direct look back, my late father, George Haley, was sworn in to this very Chamber as the first Black person elected to the Kansas Senate. A picture of that day, with me as his young son in attendance, is always on my desk on the floor. That was in January 1965 and the elevator had already been here over 40 years. The cage elevator greatly fascinated me then as it has fascinated, no doubt, hundreds of thousands of Capitol visitors over its 100 year existence. Appropriated at \$35,000 in 1923 by the Legislature, the wonder of it, the functionality and mechanics and the discovery within and riding on it was a bargain considering how our beautiful edifice stands out in minds of so many by its very existence. Few states have any nuance like it at all. In 1976, America's Bicentennial year of Independence, another Wyandotte County Senator, Bill Mulich, sponsored with near unanimous cosponsors, a resolution requesting that state officials preserve the elevator in operating condition. Half a century later in 2016, after visiting a Smithsonian exhibit in Washington, D.C. and seeing the wonder of a non-operational (except for its sliding door) ornate cage elevator, I, with unanimous support of all other 39 Senators, sponsored **Senate Bill 443** which requires now that the State maintains the

elevator in operating condition. (Although posted inside the cage elevator currently, Administration intends to post the Law on the walls outside the doors on each floor this Spring.) Beyond nostalgia or even sentimentality, Mr. President, this tireless carriage transporting thousands of people about business and pleasure over five stories is obviously taken for granted over time. A part of those of us here regularly, it becomes pretty routine; maybe even “ho-hum.” Too often we mistakenly believe that we, here in this moment, here in this time, have no cognizant link to our own history; in a stellar realm of service. But the cage elevator was here, doing what it’s supposed to do to render service and aid to countless people, well before any of us got here. And, if our laws are followed, the cage elevator will be here in this magnificent Statehouse doing what it uniquely does to serve, long after we’re all gone. Thank you for joining in the recognition of a century by our yet often admired mechanical marvel; Kansas’ own Statehouse Cage Elevator!—DAVID HALEY

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Joint Committee on State-Tribal Relations introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1725—

A RESOLUTION approving an amendment to the gaming compact between the Prairie Band Potawatomi Nation and the State of Kansas.

Be it resolved by the Senate of the State of Kansas: That the amendment to the gaming compact between the Prairie Band Potawatomi Nation and the State of Kansas submitted by the Governor to the Joint Committee on State-Tribal Relations on April 27, 2023, is hereby approved; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to the Governor, the Secretary of State and the chairperson of the Prairie Band Potawatomi Nation.

STANDING COMMITTEE REPORT

The **Joint Committee on State-Tribal Relations** introduces Senate Resolution No. 1725, "A RESOLUTION approving an amendment to the gaming compact between the Prairie Band Potawatomi Nation and the State of Kansas" and recommends adoption of the resolution.

AMENDMENT TO THE PRAIRIE BAND POTAWATOMI NATION - KANSAS GAMING COMPACT

This Amendment to the Prairie Band Potawatomi Nation – Kansas Gaming Compact (the "Amendment") is entered into by the Prairie Band Potawatomi Nation, a sovereign federally recognized Indian nation (the "Nation"), and the State of Kansas. This Amendment shall take effect on the date on which this Amendment has been executed by the Nation and the State of Kansas, approved by the Secretary of the Interior or approved by operation of law, and notice of such approval is published the Federal Register in accordance with applicable law. In consideration of the covenants and agreements of the parties hereinbelow, and in accordance with Sections 33 and 35 of the

Compact, the current Tribal-State Gaming Compact between the parties, effective as of July 6, 1995 (the "Compact") is hereby amended as follows:

1. Unless the context requires otherwise, capitalized terms used but not defined in this Amendment shall have the respective meanings given for such terms in the Compact.

2. Throughout the Compact, all references to "Prairie Band Potawatomi Nation in Kansas" are deleted and replaced with "Prairie Band Potawatomi Nation."

3. Section 3 (Authorized Class III Gaming) is amended as follows:

- a. In subsection (A):
 - i. the word "and" at the end of clause (10) is deleted;
 - ii. the following text is added after clause (10): "(11) Sports Wagering; and
 - iii. existing clause (11) is renumbered as clause (12).
- b. In subsection (B), clause (1), the phrase "sports betting," is deleted.
- c. In subsection (F), the existing text is deleted in its entirety and replaced with the following:

(F) (1) Subject to Subsection (F)(2), all Class III gaming authorized under this Compact shall be conducted at a facility established by the Tribe on its Reservation.

(2) Remote sports wagers shall be accepted on a server or other computer equipment at a facility established by the Tribe on its Reservation. The parties agree (a) that in accordance with and for purposes of State and Tribal law, remote sports wagers originating within the boundaries of the State but outside of the Tribe's Indian lands within the meaning of the Indian Gaming Regulatory Act ("Indian lands") are sports wagers that take place on, and within the boundaries of, the Tribe's Indian lands where the server accepting remote sports wagers is located, and (b) that the sports wagers described in clause (a) shall be referred to as "Hub-and-Spoke remote sports wagers" and the general model of sports wagering described in clause (a) shall be referred to as the "Hub-and-Spoke Model." The Tribe shall regulate all remote sports wagers pursuant to Tribal Law. Notwithstanding any provision of this Compact to the contrary, the Tribe (y) shall not accept any remote sports wager where the player initiating the remote sports wager is located on another Indian tribe's

Indian lands or where such remote sports wager is otherwise specifically prohibited by Federal law, and (z) shall not accept any Hub-and-Spoke remote sports wager unless the Hub-and-Spoke Model is expressly found to comply with the Indian Gaming Regulatory Act by any of the United States District Court for the District of Kansas, the United States Court of Appeals for the Tenth Circuit, the United States Court of Appeals for the District of Columbia Circuit, or the United States Supreme Court in a judgment that is final and not appealable; provided, however, that the Tribe shall not accept any Hub-and-Spoke remote sports wager if the Hub- and-Spoke Model is expressly found not to comply with the Indian Gaming Regulatory Act by any federal court of competent jurisdiction in a judgment that has not been reversed, overruled, or superseded. Nothing in this Compact precludes remote sports wagers received and accepted by the Tribe on the Tribe's Indian lands where the player initiating the remote sports wager is also located on the Tribe's Indian lands.

- d. In subsection (G), after the period insert the following:

This Subsection shall not prohibit the use of wagering accounts pursuant to the terms of the Tribal Gaming Regulations, where such wagering accounts do not extend or advance funds to the account holder.

4. Section 5 (Definitions) is amended as follows:

- a. In subsection (C), after the final occurrence of "Compact" and before the period, insert ", as amended from time to time".
- b. In subsection (H), after the word "conducted" and before the period, insert "including, solely with respect to remote sports wagering, the location of any server or other computer equipment used for receiving remote sports wagers".
- c. At the end of such Section 5 (Definitions), insert the following:

(AH) Sporting Event. "Sporting Event" means any professional or collegiate sport or athletic event, motor race event, or any other special event authorized by the Tribal Gaming Commission that has not occurred at the time wagers are placed on such event.

(AI) Sports Wagering. "Sports Wagering" means placing a wager or bet on one or more Sporting Events, or any portion thereof, or in the individual performance statistics of athletes participating in a Sporting Event, or

combination of Sporting Events, by any system or method of wagering, including remote sports wagering originating within the boundaries of the State; provided, however, that "Sports Wagering" does not include a fee to play a fantasy contest or an entry fee to participate in e-sports.

5. Subsection A (Adoption of Tribal Gaming Regulations) of Section 7 (Tribal Gaming Regulations) is amended by inserting a new clause (3) as follows:

(3) Additional regulations adopted by the Tribal Gaming Commission in accordance with clauses (1) and (2) above for the purpose of regulating the operation and management of sports wagering shall include, at a minimum, regulations addressing the topics set forth on Appendix E.

6. A new Appendix E, as set forth on the attached Schedule 6, shall be appended to the Compact.

7. Section 21 (Denial of License Application for Cause) is amended as follows:

a. In subsection (K), the existing text is deleted in its entirety and replaced with the following:

(K) has had a license to conduct gaming in another jurisdiction canceled or revoked for any reason.

8. Section 22 (Revocation or Suspension of License for Cause) is amended as follows:

a. In subsection (K), the existing text is deleted in its entirety and replaced with the following:

(K) has had a license to conduct gaming in another jurisdiction canceled or revoked for any reason.

9. Section 26 (Public Health and Safety) is amended as follows:

a. In subsection (C), the first sentence is deleted in its entirety.

10. Section 30 (Notices) is amended as follows:

a. Delete all text beginning with "Notice to the Tribe" through and including "Oskaloosa, Kansas 66066" and replace with the following:

Notice to the Tribe shall be sent to:

Prairie Band Potawatomi Nation
Attn: Chairman
16281 Q Road

APRIL 28, 2023

1275

Mayetta, KS 66509

Prairie Band Potawatomi Nation
Attn: Tribal Attorney
16281 Q Road
Mayetta, KS 66509

11. The terms and conditions of Sections 31 (Dispute Resolution) and 39 (Severability) of the original Compact are incorporated herein by reference and shall apply with respect to this Amendment.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed as indicated below.

Prairie Band Potawatomi Nation

State of Kansas

Joseph P. Rupnick, Chairman

Laura Kelly, Governor

Date: _____

Date: _____

Approved this day of _____, 2023.

Assistant Secretary – Indian Affairs
United States Department of the Interior

SCHEDULE 6

(NEW APPENDIX E)

APPENDIX E

MANDATORY REGULATORY TOPICS FOR SPORTS WAGERING

1. Licensee will take reasonable measures to prohibit athletes, coaches, referees, team owners, player and referee union personnel, or employees of a sports governing body or its member teams, from placing wagers on any sporting event overseen by such sports governing body.
2. Licensee will take reasonable measures to prohibit any person with access to nonpublic confidential information regarding a sporting event or wager in the possession of a licensee from placing wagers on such sporting event with such licensee.
3. Licensee will take reasonable measures to prohibit persons from placing sports wagers as agents or proxies for other persons.
4. Licensee will take reasonable measures to prohibit any person convicted of any felony or misdemeanor offense involving sports wagering, including, but not limited to, the use of funds derived from illegal activity to make sports wagers, placing sports wagers to conceal money derived from illegal activity, the use of other individuals to place sports wagers as part of any wagering scheme to circumvent any provision of applicable Tribal, federal

or state law and the use of false identification to facilitate the placement of any sports wager or the collection of any prize in violation of applicable Tribal, federal or state law, from placing sports wagers.

5. Requirements for maintaining the security of sports wagering data, sports wagering customer data and other confidential information from unauthorized access and dissemination, provided that nothing in such regulations shall preclude the use of internet or cloud-based hosting of such data and information or disclosure as required by court order or applicable Tribal, state or federal law.
6. Requirements that upon request by an individual, such individual shall be restricted from placing sports wagers with a licensee and that such licensee shall take reasonable measures to prevent such individual from placing sports wagers.
7. Prohibition on sports wagers on any sporting or athletic event where a majority of the participants are less than 18 years of age.
8. To the extent applicable, initial technical standards with respect to sports wagering shall be based upon Gaming Laboratories International GLI-33, Standards for Event Wagering Systems, Version 1.1, dated May 14, 2019.

ORIGINAL MOTION

Senator Alley motioned to advance **SR 1725** to Emergency Final Action, subject to amendment, debate and roll call. Motion carried.

FINAL ACTION ON SENATE RESOLUTION

SR 1725, A RESOLUTION approving an amendment to the gaming compact between the Prairie Band Potawatomi Nation and the State of Kansas.

On roll call, the vote was: Yeas 27; Nays 8; Present and Passing 2; Absent or Not Voting 3.

Yeas: Alley, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, O'Shea, Olson, Petersen, Pittman, Reddi, Ryckman, Thompson, Wilborn.

Nays: Baumgardner, Erickson, Peck, Pyle, Shallenburger, Steffen, Straub, Tyson.

Present and Passing: McGinn, Warren.

Absent or Not Voting: Pettey, Sykes, Ware.

The resolution was adopted.

On motion of Senator Alley, the Senate recessed until 2:00 p.m.

AFTERNOON SESSION

The Senate met pursuant to recess with President Masterson in the chair.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2285** 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 6 through 36;

By striking all on pages 2 through 8;

On page 9, by striking all in lines 1 through 9; following line 9, by inserting:

"New Section 1. (a) As used in this section:

(1) "Data" means all facts, information, records of interviews, written reports, statements, notes or memorandums secured in connection with an authorized medical research study.

(2) "Overdose" means injury to the body that happens when one or more drugs are taken in excessive amounts. "Overdose" includes fatal and nonfatal injuries.

(3) "Secretary" means the secretary of health and environment.

(b) The secretary shall:

(1) Identify drug overdose deaths;

(2) review autopsy reports, death certificates, medical records and other relevant data;

(3) review interactions with the healthcare system, behavioral health system, social services, educational institutions, children and family services, the criminal justice system and any other systems with which a decedent had contact prior to a drug overdose death;

(4) contact family members and other affected or involved persons to collect additional relevant data;

(5) make determinations regarding the preventability of drug overdose death cases and develop recommendations to prevent such deaths, including recommendations for changes to statutes, rules and regulations, policies and procedures; and (6) disseminate findings and recommendations to the governor, the legislature, healthcare providers and facilities, behavioral health professionals, law enforcement and the general public.

(c) The secretary shall have access to the following identifiable data sources and records therein:

(1) Law enforcement reports directly relating to events leading up to a drug overdose death and information leading to the conclusion that the death may have been a drug overdose death. The law enforcement agency may redact names and other personally identifiable information of individuals contained in such law enforcement reports or exclude information that would reveal an ongoing investigation of drug violations or any criminal history information prohibited by law to be released;

(2) autopsy records and coroner's investigative records regarding a drug overdose death in Kansas;

(3) medical records or emergency medical services records regarding a drug overdose death or previous overdose by a decedent;

(4) a decedent's controlled substance dispensation records from the prescription monitoring program established by the prescription monitoring program act, K.S.A. 65-1681 et seq., and amendments thereto; and

(5) records, data and reports from any other applicable entity that has provided services to a decedent.

(d) (1) The secretary may apply to the district court for the issuance of, and the district court may issue, a subpoena to compel the production of any relevant data or information requested by the secretary under this section. Any data or information received by the secretary pursuant to the subpoena shall be confidential and privileged information and not subject to disclosure.

(2) The provisions of this subsection providing for confidentiality of records shall expire on July 1, 2028, unless the legislature acts prior to July 1, 2028, to continue such provisions in accordance with K.S.A. 45-229, and amendments thereto.

(c) (1) All proceedings and activities of the secretary or representatives of the secretary under this section, opinions of the secretary or representatives of the secretary formed as a result of such proceedings and activities and records obtained, created or maintained pursuant to this section, including records of interviews, written reports and statements procured by the secretary or any other person, agency or organization acting jointly or under contract with the department of health and environment in connection with the requirements of this section, shall be confidential and not subject to the provisions of the open records act or the open meetings act or subject to subpoena, discovery or introduction into evidence in any civil or criminal proceeding. Nothing in this section shall be construed to limit or otherwise restrict the right to discover or use in any civil or criminal proceeding any document or record that is available and entirely independent of proceedings and activities of the secretary or representatives of the secretary under this section.

(2) The secretary or representatives of the secretary shall not be questioned in any civil or criminal proceeding regarding the information presented in or opinions formed as a result of an investigation. Nothing in this section shall be construed to prevent the secretary or representatives of the secretary from testifying to information obtained independently of this section or that is public information.

(3) The provisions of this subsection providing for confidentiality of records shall expire on July 1, 2028, unless the legislature acts to continue such provisions. The legislature shall review the provisions of this subsection pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2028.

Sec. 2. K.S.A. 2022 Supp. 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; and

(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 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) The secretary of health and environment shall not carry out the provisions of subsection (a) or (b) in a manner that conflicts with any other statute or otherwise expands the authority of the secretary.

(d) 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. 3. K.S.A. 65-116g is hereby amended to read as follows: 65-116g. (a) It shall be unlawful for any person who violates to:

(1) Violate any provision of this act relating to tuberculosis, or any associated rules or regulations of the secretary of health and environment for the enforcement of this act; ~~or;~~

(2) ~~violates~~ violate any of the rules or regulations of ~~any an~~ an institution while a patient therein; ~~or~~

(3) ~~conducts himself in a engage in~~ disorderly manner, shall be guilty of conduct, as described in K.S.A. 21-6203, and amendments thereto.

(b) Violation of this section is a class C nonperson misdemeanor.

(c) As used in this section, "this act" means K.S.A. 65-116a through 65-116m, and amendments thereto.

Sec. 4. K.S.A. 65-119 is hereby amended to read as follows: 65-119. (a) Any county or joint board of health or local health officer having knowledge of any infectious or contagious disease, or of a death from such disease, within their jurisdiction, shall immediately exercise and maintain a supervision over such case or cases during their continuance, seeing that all such cases are properly cared for and that the provisions of this act ~~as relating~~ to isolation, restriction of communication, quarantine and disinfection are duly enforced. The county or joint board of health or local health officer shall communicate without delay all information ~~as relating~~ to existing conditions to the secretary of health and environment. The local health officer shall confer personally, if practicable, otherwise by letter, with the person in attendance upon the case, as to its future management and control. ~~The county or joint board of health or local health officer is hereby empowered and authorized to prohibit public gatherings when necessary for the control of any and all infectious or contagious disease.~~

(b) Any disclosure or communication of information relating to infectious or contagious diseases required to be disclosed or communicated under subsection (a) ~~of this section~~ shall be confidential and shall not be disclosed or made public beyond the requirements of subsection (a) ~~of this section~~ or subsection (a) of K.S.A. 65-118(a), and amendments thereto, except as otherwise permitted by ~~subsection (c) of K.S.A. 65-118(c)~~, and amendments thereto.

Sec. 5. K.S.A. 65-128 is hereby amended to read as follows: 65-128. (a) For the protection of the public health and for the control of infectious or contagious diseases, the secretary of health and environment ~~by rules and regulations shall~~ adopt rules and regulations to designate such diseases ~~as that~~ are infectious or contagious in their nature ~~and, prior to adopting amendments to such rules and regulations, submit a report with the proposed amendments to the speaker of the house of representatives and the president of the senate.~~

(b) The secretary of health and environment is authorized ~~to issue such orders and adopt rules and regulations as may be medically necessary and reasonable~~ recommend to the public and provide education on ways to prevent the spread and dissemination of diseases injurious to the public health, ~~including, but not limited to, providing for the testing for such diseases and the isolation and quarantine of persons afflicted with or exposed to such diseases.~~

(c) ~~No later than January 1, 2014, The secretary shall develop and adopt rules and regulations providing for~~ make recommendations for preventing the introduction and spread of infectious or contagious disease within this state and the protection of individuals who provide medical or nursing services, clinical or forensic laboratory services, emergency medical services and firefighting, law enforcement and correctional services, or who provide any other service, or individuals who receive any such services or are in any other employment where the individual may encounter occupational exposure to blood and other potentially infectious materials.

Sec. 6. K.S.A. 65-129b is hereby amended to read as follows: 65-129b. (a) Notwithstanding the provisions of K.S.A. 65-119, 65-122, 65-123, ~~65-126~~ and 65-128, and amendments thereto, and any rules or regulations adopted thereunder, in investigating actual or potential exposures to an infectious or contagious disease that is potentially life-threatening, the local health officer ~~or the secretary:~~

(1) ~~(A)~~(a) ~~May issue an order requiring~~ recommend an individual ~~who~~ whom the local health officer ~~or the secretary~~ has reason to believe has been exposed to an infectious or contagious disease to seek appropriate and necessary evaluation and treatment;

~~(B)~~(b) when the local health officer ~~or the secretary~~ determines that it is medically necessary and reasonable to prevent or reduce the spread of the disease or outbreak believed to have been caused by the exposure to an infectious or contagious disease, ~~may order~~ recommend an individual or group of individuals to go to and remain in places of isolation or quarantine until the local health officer ~~or the secretary~~ determines that the individual no longer poses a substantial risk of transmitting the disease or condition to the public;

~~(C)~~(c) if a competent individual ~~of who is~~ 18 years of age or older or an emancipated minor refuses ~~vaccination~~, medical examination, treatment or testing under this section, ~~may require~~ recommend the individual to go to and remain in a place of isolation or quarantine until the local health officer ~~or the secretary~~ determines that the individual no longer poses a substantial risk of transmitting the disease or condition to the public; and

~~(D)~~(d) if, on behalf of a minor child or ward, a parent or guardian refuses ~~vaccination~~, medical examination, treatment or testing under this section, ~~may require~~ recommend the minor child or ward to go to and remain in a place of isolation or quarantine and ~~must~~ shall allow the parent or guardian to accompany the minor child or

ward until the local health officer ~~or the secretary~~ determines that the minor child or ward no longer poses a substantial risk of transmitting the disease or condition to the public; ~~and~~

~~(2) may order any sheriff, deputy sheriff or other law enforcement officer of the state or any subdivision to assist in the execution or enforcement of any order issued under this section.~~

Sec. 7. K.S.A. 65-129d is hereby amended to read as follows: 65-129d. ~~It shall be unlawful for any A~~ public or private employer ~~to shall not~~ discharge an employee solely because the employee or an immediate family member of the employee is ~~under an order of following an~~ isolation or quarantine recommendation from a local health officer. ~~The violation of this section is punishable as a violation of K.S.A. 65-129, and amendments thereto~~ In an action against an employer for a violation of this section, the court shall award a prevailing plaintiff the actual damages such person sustained, costs and reasonable attorney fees.

Sec. 8. K.S.A. 2022 Supp. 65-202 is hereby amended to read as follows: 65-202. (a) The local health officer in each county throughout the state, immediately after such officer's appointment, shall;

(1) Take the same oath of office prescribed by law for the county officers, shall;
 (2) give bond of \$500 conditioned for the faithful performance of the officer's duties, shall;

(3) keep an accurate record of all the transactions of such office, shall;
 (4) turn over to the successor in office or to the county or joint board of health selecting such officer, on the expiration of such officer's term of office, all records, documents and other articles belonging to the office; and shall

(5) faithfully account to the board of county commissioners and to the county and state for all moneys coming into the office. Such officer shall notify the secretary of health and environment of such officer's appointment and qualification, and provide the secretary with such officer's contact information.

(b) Such officer shall receive and distribute without delay in the county all forms from the secretary of health and environment to the rightful persons, all returns from persons licensed to practice medicine and surgery, assessors and local boards to said secretary, shall keep an accurate record of all of the transactions of such office and shall turn over all records and documents kept by such officer, the successor in office, or to the county or joint board electing such officer, on the expiration of the term of office.

(c) The local health officer shall upon the opening of the fall term of school, make a sanitary inspection of each school building and grounds, and shall make such additional inspections as are necessary to protect the public health of the students of the school.

~~(e)(d)~~ (1) Such officer shall make an investigation of each case of smallpox, diphtheria, typhoid fever, scarlet fever, acute anterior poliomyelitis (infantile paralysis), epidemic cerebro-spinal meningitis and such other acute infectious, contagious or communicable diseases as may be required, and shall use all ~~known~~ medically necessary and reasonable measures to prevent the spread of any such infectious, contagious or communicable disease, and shall perform such other duties as this act, the county or joint board, or board of health or the secretary of health and environment may require.

(2) ~~Any order issued by the local health officer, including~~ Orders issued as a result of an executive order of the governor, on behalf of a county regarding the remediation

of any infectious disease may be reviewed, amended or revoked by the board of county commissioners of any county affected by such order in the manner provided by K.S.A. 65-201(b), and amendments thereto.

(e) Such officer shall receive compensation as set by the board and, with the approval of the board of health, may employ a skilled professional nurse and other additional personnel whenever deemed necessary for the protection of the public health.

(f) For any failure or neglect of the local health officer to perform any of the duties prescribed in this act, the officer may be removed from office by the county board of health. In addition to removal from office, for any failure or neglect to perform any of the duties prescribed by this act, the local health officer shall be deemed guilty of a misdemeanor and, upon conviction, be fined not less \$10 nor more than \$100 for each and every offense.

Sec. 9. K.S.A. 65-508 is hereby amended to read as follows: 65-508. (a) ~~Any~~A maternity center or child care facility subject to the provisions of this act shall:

- (1) Be properly heated, plumbed, lighted and ventilated;
- (2) have plumbing, water and sewerage systems ~~which~~ that conform to all applicable state and local laws; and
- (3) be operated with strict regard to the health, safety and welfare of any woman or child.

(b) Every maternity center or child care facility shall furnish or cause to be furnished for the use of each resident and employee individual towel, ~~wash cloth~~ washcloth, comb and individual drinking cup or sanitary bubbling fountain, and toothbrushes for all other than infants, and shall keep or require such articles to be kept at all times in a clean and sanitary condition. Every maternity center or child care facility shall comply with all applicable fire codes and rules and regulations of the state fire marshal.

(c) (1) The secretary of health and environment with the cooperation of the secretary for children and families shall develop and adopt rules and regulations for the operation and maintenance of maternity centers and child care facilities. The rules and regulations for operating and maintaining maternity centers and child care facilities shall be designed to promote the health, safety and welfare of any woman or child served in such facilities by ensuring safe and adequate physical surroundings, healthful food, adequate handwashing, safe storage of toxic substances and hazardous chemicals, sanitary diapering and toileting, home sanitation, supervision and care of the residents by capable, qualified persons of sufficient number, after-hour care, an adequate program of activities and services, sudden infant death syndrome and safe sleep practices training, prohibition on corporal punishment, crib safety, protection from electrical hazards, protection from swimming pools and other water sources, fire drills, emergency plans, safety of outdoor playground surfaces, door locks, safety gates and transportation and such appropriate parental participation as may be feasible under the circumstances. Boarding schools are excluded from requirements regarding the number of qualified persons who must supervise and provide care to residents.

(2) Rules and regulations developed under this subsection shall include provisions for the competent supervision and care of children in day care facilities. For purposes of such rules and regulations, competent supervision as this term relates to children less than five years of age includes, but is not limited to, direction of activities, adequate oversight including sight or sound monitoring, or both, physical proximity to children,

diapering and toileting practices; and for all children, competent supervision includes, but is not limited to, planning and supervision of daily activities, safe sleep practices, including, but not limited to, visual or sound monitoring, periodic checking, emergency response procedures and drills, illness and injury response procedures, food service preparation and sanitation, playground supervision, pool and water safety practices.

(d) In addition to any rules and regulations adopted under this section for safe sleep practices, child care facilities shall ensure that all of the following requirements are met for children under 12 months of age:

(1) A child shall only be placed to sleep on a surface and in an area that has been approved for use as such by the secretary of health and environment;

(2) the sleep surface shall be free from soft or loose bedding, including, but not limited to, blankets, bumpers and pillows; and

(3) the sleep surface shall be free from toys, including mobiles and other types of play equipment or devices.

(e) Child care facilities shall ensure that children over 12 months of age only be placed to sleep on a surface and in an area that has been approved for use as such by the secretary of health and environment.

(f) The secretary of health and environment may exercise discretion to make exceptions to requirements in subsections (d) and (e) where special health needs exist.

(g) (1) Each child cared for in a child care facility, including children of the person maintaining the facility, shall be required to have current such immunizations as the secretary of health and environment considers necessary. The person maintaining a child care facility shall maintain a record of each child's immunizations and shall provide to the secretary of health and environment such information relating thereto, in accordance with rules and regulations of the secretary, but the person maintaining a child care facility shall not have such person's license revoked solely for the failure to have or to maintain the immunization records required by this subsection.

(2) (A) The secretary of health and environment shall not require a child cared for in a child care facility to receive a COVID-19 vaccine.

(B) As used in this paragraph, "COVID-19 vaccine" means an immunization, vaccination or injection against disease caused by the novel coronavirus identified as SARS-CoV-2 or disease caused by a variant of the virus.

(h) The immunization requirement of subsection (g) shall not apply if one of the following is obtained:

(1) Certification from a licensed physician stating that the physical condition of the child is such that immunization would endanger the child's life or health; or

(2) a written statement signed by a parent or guardian that the parent or guardian is an adherent of a religious denomination whose teachings are opposed to immunizations.

Sec. 10. K.S.A. 2022 Supp. 72-5180 is hereby amended to read as follows: 72-5180. (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.~~

Sec. 11. K.S.A. 72-6262 is hereby amended to read as follows: 72-6262. (a) (1) In each school year, every ~~pupil student~~ enrolling or enrolled in any school for the first time in this state, and each child enrolling or enrolled for the first time in a preschool or day care program operated by a school, and such other ~~pupils students~~ as may be designated by the secretary, prior to admission to and attendance at school, shall present to the appropriate school board certification from a physician or local health department that the ~~pupil student~~ has received such tests and inoculations as are deemed necessary by the secretary by such means as are approved by the secretary. Pupils Students who have not completed the required inoculations may enroll or remain enrolled while completing the required inoculations if a physician or local health department certifies that the ~~pupil student~~ has received the most recent appropriate inoculations in all required series. Failure to timely complete all required series shall be deemed non-compliance.

(2) (A) The secretary of health and environment shall not require a student described in paragraph (1) to receive a COVID-19 vaccine.

(B) As used in this paragraph, "COVID-19 vaccine" means an immunization,

vaccination or injection against disease caused by the novel coronavirus identified as SARS-CoV-2 or disease caused by a variant of the virus.

(b) As an alternative to the certification required under subsection (a), a ~~pupil student~~ shall present:

(1) An annual written statement signed by a licensed physician stating the physical condition of the child ~~to be~~ is such that the tests or inoculations would seriously endanger the life or health of the child; or

(2) a written statement signed by at least one parent or guardian stating that the child is an adherent of a religious denomination whose religious teachings are opposed to such tests or inoculations.

(c) On or before May 15 of each school year, the school board of every school affected by this act shall notify the parents or guardians of all known ~~pupils students~~ who are enrolled or who will be enrolling in the school of the provisions this act and any policy regarding the implementation of the provisions of this act adopted by the school board.

(d) If a ~~pupil student~~ transfers from one school to another, the school from which the ~~pupil student~~ transfers shall forward with the ~~pupil's student's~~ transcript the certification or statement showing evidence of compliance with the requirements of this act to the school to which the ~~pupil student~~ transfers.";

Also on page 9, in line 10, by striking "40-201, 40-216, 40-241 and 40-955" and inserting "65-116g, 65-119, 65-126, 65-127, 65-128, 65-129, 65-129b, 65-129c, 65-129d, 65-508 and 72-6262 and K.S.A. 2022 Supp. 65-101, 65-202 and 72-5180"; 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 all after "ACT"; by striking all in line 2; in line 3, by striking all before the second "and" and inserting "concerning the secretary of health and environment; relating to drug overdoses; requiring the secretary of health and environment to study overdose deaths; providing for the confidentiality of acquired and compiled records; restricting the powers of the secretary of health and environment and local health officers to control the introduction and spread of infectious or contagious diseases; revoking the authority of the secretary to order individuals to isolate or quarantine and impose penalties for violations thereof; prohibiting the secretary of health and environment from requiring a COVID-19 vaccination in order to attend a child care facility or school; amending K.S.A. 65-116g, 65-119, 65-128, 65-129b, 65-129d, 65-508 and 72-6262 and K.S.A. 2022 Supp. 65-101, 65-202 and 72-5180"; also in line 3 after "sections" by inserting "; also repealing K.S.A. 65-126, 65-127, 65-129 and 65-129c";

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

BEVERLY GOSSAGE
RENEE ERICKSON
Conferees on part of Senate

WILL CARPENTER
SUSAN HUMPHRIES
Conferees on part of House

Senator Gossage moved the Senate adopt the Conference Committee Report on **HB 2285**.

On roll call, the vote was: Yeas 22; Nays 18; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Claeys, Erickson, Fagg, Gossage, Kloos, Masterson, Olson, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Tyson, Warren, Wilborn.

Nays: Bowers, Corson, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Kerschen, Longbine, McGinn, O'Shea, Pettey, Pittman, Reddi, Sykes, Ware.

The Conference Committee Report was adopted.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **HB 2021**.

The House concurs in Senate amendments to **S Sub HB 2010**, and requests return of the bill.

On motion of Senator Alley, the Senate recessed until the sound of the gavel.

The Senate met pursuant to recess with Vice President Wilborn in the chair.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **H Sub SB 113**.

ORIGINAL MOTION

Senator Alley moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bill: **H Sub SB 113**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 113** 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. 113, as follows:

On page 1, in line 35, by striking "\$11,368,175" and inserting "\$5,929,175"; following line 35 by inserting:
"Supplemental state aid (652-00-1000-0840).....\$541,000";

On page 2, in line 4, by striking "\$6,546,460" and inserting "\$8,039,460"; in line 9, by striking "\$76,276,834" and inserting "\$79,307,834"; in line 15, by striking "\$14,797,912" and inserting "\$14,712,912"; in line 18, by striking all after "2024"; by striking all in lines 19 through 35; in line 36, by striking all before the period;

On page 3, in line 8, by striking "\$32,018,273" and inserting "\$29,810,273"; in line 13, by striking "\$537,372,516" and inserting "\$531,880,516"; by striking all in lines 19 through 23; following line 23, by inserting:
"Special education services aid (652-00-1000-0700).....\$528,018,516

Provided, That any unencumbered balance in the special education services aid account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *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.";

Also on page 3, in line 41, after the semicolon by inserting "acquisition of naloxone hydrochloride products for use by approved professionals;"

On page 4, in line 22, by striking "\$101,388,069" and inserting "\$47,899,069"; in line 23, by striking "\$2,423,309" and inserting "\$577,309";

On page 8, in line 27, by striking "\$8,437,635" and inserting "\$9,437,635"; following line 34, by inserting:

"*Provided*, That any unencumbered balance in the pre-K pilot account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.";

Also on page 8, following line 35, by inserting:

"*Provided*, That any unencumbered balance in the early childhood infrastructure account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.";

Also on page 8, following line 36, by inserting:

"*Provided*, That any unencumbered balance in the imagination library account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.";

On page 10, following line 15, by inserting:

"(l) During the fiscal year ending June 30, 2024, 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 2024 as authorized by this or other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2024 to survey school districts and submit to the senate committee on education and the house of representatives committees on education and K-12 education budget a list of all school districts that used curriculum and training materials that include the three cueing systems model of reading or visual memory program in the preceding school year.";

Also on page 10, in line 20, by striking "\$2,795,337,000" and inserting "\$2,825,725,000"; in line 24, by striking "\$602,200,000" and inserting "\$590,000,000"; in line 28, by striking "\$592,740,238" and inserting "\$535,518,818";

On page 11, by striking all in lines 9 through 43;

By striking all on pages 12 through 15;

On page 16, by striking all in lines 1 through 36; following line 36, by inserting:

"New Sec. 4. (a) Within 30 days after the board of education of a school district adopts a resolution to dispose of a school district building pursuant to K.S.A. 72-3216, and amendments thereto, such board of education shall submit written notice of its intention to dispose of such building to the legislature. Such notice shall be filed with the chief clerk of the house of representatives and the secretary of the senate and shall contain the following:

(1) A description of the school district's use of such building immediately prior to the decision to dispose of such building;

(2) the reason for such building's disuse and the decision to dispose of such building;

(3) the legal description of the real property to be disposed of; and

(4) a copy of the resolution adopted by the board of education.

(b) (1) If the notice required under subsection (a) is received by the legislature during a regular legislative session, then the legislature shall have 45 days to adopt a concurrent resolution in accordance with subsection (c) stating the legislature's intention for the state to acquire such building.

(2) If the notice required under subsection (a) is received when the legislature is not in regular session, then the legislature shall have 45 days from the commencement of the next regular session to adopt a concurrent resolution in accordance with subsection (c) stating the legislature's intention for the state to acquire such building.

(3) If the legislature does not adopt a concurrent resolution in accordance with subsection (c) within the 45-day period, then the school district may proceed with the disposition of such school district building in accordance with state law.

(c) The legislature may adopt a concurrent resolution stating the legislature's intention that the state acquire the school district building. Such concurrent resolution shall include:

(1) The name of the school district that owns such building;

(2) the information contained in the written notice as described in subsection (a)(1) through (3); and

(3) the state agency that intends to acquire such building and the intended use of such building upon acquisition.

(d) Upon adoption of a concurrent resolution in accordance with subsection (c), the state agency named in such resolution shall have 180 days to complete the acquisition of such school district building and take title to the real property. Upon request of the state agency acquiring the school district building, the legislative coordinating council may extend the 180-day period for a period of not more than 60 days. The board of education of the school district shall not sell, gift, lease or otherwise convey such building or any of the real property described in the written notice or take any action or refrain from taking any action that would diminish the value of such property during the 180-day period or any extension thereof. If the state agency does not take title to the property within the 180-day period or any extension thereof, then the school district may proceed with disposition of such school district building in accordance with state law and any written agreements entered into between such state agency and the school district.

(e) For purposes of this section, the term "state agency" means any state agency, department, authority, institution, division, bureau or other state governmental entity.;

On page 17, in line 19, by striking all after "(A)"; by striking all in line 20; in line 21, by striking "(B)"; in line 24, after "affidavit" by inserting "or transcript"; in line 25, by striking "subparagraphs" and inserting "subparagraph"; in line 26, by striking all before the period; following line 39, by inserting:

"(e) This section shall take effect on and after July 1, 2023.;"

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

Also on page 17, in line 40, before "The" by inserting "(a)";

On page 18, following line 1, by inserting:

"(b) This section shall take effect on and after July 1, 2023.";

Also on page 18, by striking all in lines 2 through 26; following line 26, by inserting:

"New Sec. 7. (a) There is hereby established the special education and related services funding task force. The task force shall be composed of 11 members, as follows:

- (1) Two members appointed by the speaker of the house of representatives;
- (2) two members appointed by the president of the senate;
- (3) one member appointed by the minority leader of the house of representatives;
- (4) one member appointed by the minority leader of the senate;
- (5) one member appointed by the state board of education;
- (6) two members appointed by the state department of education who are professionals in the field of special education and related services;
- (7) one member appointed by the state department of education who is a professional in early childhood developmental services and provides services for a tiny-K program; and
- (8) one member who shall be a parent of a student who receives special education services. In calendar year 2023, and every second succeeding calendar year thereafter, such member shall be appointed by the speaker of the house of representatives. In calendar year 2024, and every second succeeding calendar year thereafter, such member shall be appointed by the president of the senate.

(b) Members shall be appointed to the task force on or before July 1, 2023. The speaker of the house of representatives shall designate one member appointed by the speaker of the house of representatives to call the first meeting of the task force. Any vacancy in the membership of the task force shall be filled by appointment in the same manner prescribed by this section for the original appointment.

(c) (1) If approved by the legislative coordinating council, members of the task force attending meetings authorized by the task force shall be paid amounts for expenses, mileage and subsistence as provided in K.S.A. 75-3223(e), and amendments thereto.

(2) The members of the task force shall select a chairperson and vice chairperson from the membership of the task force.

(3) The task force may meet at any time and at any place within the state on the call of the chairperson. A quorum of the task force shall be six members. All actions of the task force shall be by motion adopted by a majority of those voting members present when there is a quorum.

(4) 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 task force.

(5) The staff of the office of revisor of statutes, the legislative research department and the division of legislative administrative services shall provide such assistance as may be requested by the task force. The state board of education shall provide consultants and assistance when requested by the task force. The state board of education and school districts shall provide any information or documentation requested by the task force.

(d) The special education and related services funding task force shall:

(1) Study and make recommendations for changes in the existing formula for funding of special education and related services;

(2) conduct hearings and receive and consider suggestions from teachers, parents, the department of education, the state board of education, other governmental officers and agencies and the general public concerning funding for special education and related services; and

(3) make and submit reports to the legislature on the work of the task force concerning recommendations of the task force. Such reports shall include recommendations for legislative changes and be submitted to the legislature on or before January 14 of each year.";

On page 19, in line 41, after "(2)" by inserting "Subject to capacity, school districts shall give priority to any nonresident student who is a military student as defined in K.S.A. 72-5139, and amendments thereto. Priority shall be given when the military student is first accepted and, if necessary, at any other time the school district considers transfer applications. Any such military student shall not be subject to the open seat lottery.

(3)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 22, following line 19, by inserting:

"Sec. 11. K.S.A. 72-3216 is hereby amended to read as follows: 72-3216. (a) (1) Subject to ~~provision paragraph (2) of this subsection~~, every unified school district shall maintain, offer and teach kindergarten and grades one through 12 and shall offer and teach at least 30 units of instruction for ~~pupils~~ students enrolled in grades nine through 12 in each high school operated by the board of education. The units of instruction, to qualify for the purpose of this section, shall have the prior approval of the state board of education.

(2) Any unified school district which has discontinued kindergarten, any grade or unit of instruction under authority of K.S.A. 72-13,101, and amendments thereto, and has entered into an agreement with another unified school district for the provision of kindergarten or any such grade or unit of instruction has complied with the kindergarten, grade and unit of instruction requirements of this section.

(b) The board of education shall adopt all necessary rules and regulations for the government and conduct of its schools, consistent with the laws of the state.

(c) The board of education may divide the district into subdistricts for purposes of attendance by pupils.

(d) The board of education shall have the title to and the care and keeping of all school buildings and other school property belonging to the district. The board may open any or all school buildings for community purposes and may adopt rules and regulations governing use of school buildings for those purposes. School buildings and other school properties no longer needed by the school district may be disposed of by the board upon the affirmative recorded vote of not less than a majority of the members of the board at a regular meeting. Subject to the provisions of section 4, and amendments thereto, the board may dispose of the property in such manner and upon such terms and conditions as the board deems to be in the best interest of the school district. Conveyances of school buildings and other school properties shall be executed by the president of the board and attested by the clerk.

(e) The board shall have the power to acquire personal and real property by purchase, gift or the exercise of the power of eminent domain in accordance with K.S.A. 72-1144, and amendments thereto.

Sec. 12. On and after July 1, 2023, K.S.A. 2022 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) Resides in Kansas; and

(2) ~~(A) (i) Is eligible for free or reduced-price meals under the national school lunch act~~ Has an annual family income that is less than or equal to 250% of the federal poverty guidelines as determined annually in the federal register by the United States department of health and human services under 42 U.S.C. § 9902(2); 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) 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 seven years of age or under; 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 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 or is working in good faith toward such accreditation;

(3) has notified the state board of its intention to participate in the program; and

(4) complies with the requirements of the program.

(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" 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. 13. On and after July 1, 2023, K.S.A. 72-4357 is hereby amended to read as follows: 72-4357. (a) (1) There shall be allowed a credit against the corporate income tax liability imposed upon a taxpayer pursuant to the Kansas income tax act, the privilege tax liability imposed upon a taxpayer pursuant to the privilege tax imposed upon any national banking association, state bank, trust company or savings and loan association pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, and the premium tax liability imposed upon a taxpayer pursuant to the premiums tax and privilege fees imposed upon an insurance company pursuant to K.S.A. 40-252, and amendments thereto, for tax years commencing after December 31, 2014, and ending before January 1, 2017, an amount equal to 70% of the amount contributed to a scholarship granting organization authorized pursuant to K.S.A. 72-4351 et seq., and amendments thereto.

(2) There shall be allowed a credit against the tax liability imposed upon a taxpayer pursuant to the Kansas income tax act, the privilege tax liability imposed upon a taxpayer pursuant to the privilege tax imposed upon any national banking association, state bank, trust company or savings and loan association pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, and the premium tax liability imposed upon a taxpayer pursuant to the premiums tax and privilege fees imposed upon an insurance company pursuant to K.S.A. 40-252, and amendments thereto;

(A) For tax years commencing after December 31, 2016, and ending before January 1, 2022, an amount equal to 70% of the amount contributed to a scholarship granting organization authorized pursuant to K.S.A. 72-4351 et seq., and amendments thereto;
and

(B) for tax years commencing after December 31, 2022, an amount equal to 75% of the amount contributed to a scholarship granting organization authorized pursuant to K.S.A. 72-4351 et seq., and amendments thereto.

(3) In no event shall the total amount of contributions for any taxpayer allowed under this subsection exceed \$500,000 for any tax year.

(b) The credit shall be claimed and deducted from the taxpayer's tax liability during the tax year in which the contribution was made to any such scholarship granting organization.

(c) For each tax year, in no event shall the total amount of credits allowed under this section exceed \$10,000,000 for any one tax year. Except as otherwise provided, the allocation of such tax credits for each scholarship granting organization shall be determined by the scholarship granting organization in consultation with the secretary, and such determination shall be completed prior to the issuance of any tax credits pursuant to this section.

(d) If the amount of any such tax credit claimed by a taxpayer exceeds the taxpayer's income, privilege or premium tax liability, such excess amount may be carried over for deduction from the taxpayer's income, privilege or premium tax liability in the next succeeding year or years until the total amount of the credit has been deducted from tax liability.

(e) The secretary shall adopt rules and regulations regarding filing of documents that support the amount of credit claimed pursuant to this section.";

On page 24, in line 7, after "(B)" by inserting "except as provided in paragraph (4),"; in line 19, after the semicolon, by inserting "or"; in line 20, by striking all after "(C)"; by striking all in lines 21 through 35; in line 36, by striking "(D)";

On page 25, in line 1, by striking the comma and inserting "or"; also in line 1, by striking "or (C)"; following line 27, by inserting:

"(4) If a school district closed any school building pursuant to K.S.A. 72-1431, and amendments thereto, in the preceding school year, such school district shall determine enrollment pursuant to paragraph (1)(A) in the current school year.";

On page 31, following line 4, by inserting:

"Sec. 16. On and after July 1, 2023, K.S.A. 72-5149 is hereby amended to read as follows: 72-5149. (a) Except as provided in subsection (c), the low enrollment weighting of each school district shall be determined by the state board as follows:

(1) For school districts with an enrollment of fewer than 100 students, multiply the enrollment of the school district by 1.014331. The resulting product is the low enrollment weighting of the school district;

(2) for school districts with an enrollment of at least 100 students, but fewer than 300 students:

(A) Subtract 100 from the enrollment of the school district;

(B) multiply the difference obtained under subsection (a)(2)(A) by 9.655;

(C) subtract the product obtained under subsection (a)(2)(B) from 7,337;

(D) divide the difference obtained under subsection (a)(2)(C) by 3,642.4;

(E) subtract one from the quotient obtained under subsection (a)(2)(D); and

(F) multiply the difference obtained under subsection (a)(2)(E) by the enrollment of the school district. The resulting product is the low enrollment weighting of the school district;

(3) for school districts with an enrollment of at least 300 students, but fewer than 1,622 students:

(A) Subtract 300 from the enrollment of the school district;

(B) multiply the difference obtained under subsection (a)(3)(A) by 1.2375;

(C) subtract the product obtained under subsection (a)(3)(B) from 5,406;

(D) divide the difference obtained under subsection (a)(3)(C) by 3,642.4;

(E) subtract one from the quotient obtained under subsection (a)(3)(D); and

(F) multiply the difference obtained under subsection (a)(3)(E) by the enrollment of the school district. The resulting product is the low enrollment weighting of the school district.

(b) For school districts with an enrollment of at least 1,622 students, multiply the enrollment of the school district by 0.03504. The resulting product is the high enrollment weighting of the school district.

(c) Any school district that receives the low enrollment weighting and attaches territory of all or part of a disorganized school district or accepts students in the current school year who attended a school building that was closed by another school district pursuant to K.S.A. 72-1431, and amendments thereto, in the preceding school year shall maintain the low enrollment weighting factor such school district received in the school year immediately preceding such attachment or acceptance for the next three succeeding school years or may receive the low enrollment weighting factor determined

pursuant to subsection (a), whichever is greater.

Sec. 17. On and after July 1, 2023, K.S.A. 2022 Supp. 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) 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 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 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, ~~2024~~ 2027.

(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.";

On page 38, in line 23, after the comma by inserting "and 72-3216"; in line 25, after the first "K.S.A." by inserting "72-4357, 72-5149 and"; in line 26, after "Supp." by inserting "72-4352,"; also in line 26, by striking "and" and inserting a comma; also in line 26, after "72-5142" by inserting "and 72-5151";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, by striking all after the semicolon; by striking all in lines 4 through 6; in line 7, by striking all before the semicolon and inserting "requiring school districts to submit a notice of intent to dispose of a school district building to the legislature; establishing a state option to acquire such school district buildings"; in line 11, by striking all after the semicolon; in line 12 by striking all before "authorizing"; in line 15, after the semicolon by inserting "requiring school districts to give priority to nonresident military students under the school district's open seat lottery process;"; in line 19, after the semicolon by inserting "providing for additional student eligibility and increasing the tax credit for contributions made pursuant to the tax credit for low income students scholarship program; establishing the special education and related services funding task force; extending the high-density at-risk student weighting sunset date;"; in line 20, after "current-year" by inserting "or preceding year"; in line 21, after the semicolon by inserting "continuing a district's low enrollment weighting factor if the district accepts students from another school district under certain circumstances;"; in line 26, after the first comma by inserting "72-3216, 72-4357, 72-5149"; also in line 26, after the second comma by inserting "72-4352,"; in line 27, after "72-5142" by inserting, ", 72-5151";

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

MOLLY BAUMGARDNER

RENEE ERICKSON

Conferees on part of Senate

KRISTEY WILLIAMS

BRENDA LANDWEHR

Conferees on part of House

Senator Baumgardner moved the Senate adopt the Conference Committee Report on **H Sub SB 113**.

Upon the showing of 10 hands a motion to Call the Question was offered. By voice vote the motion prevailed.

On roll call, the vote was: Yeas 23; Nays 16; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Fagg, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Petersen, Pittman, Ryckman, Thompson, Warren, Wilborn.

Nays: Corson, Faust-Goudeau, Francisco, Holland, Holscher, Olson, Peck, Pettey, Pyle, Reddi, Shallenburger, Steffen, Straub, Sykes, Tyson, Ware.

Present and Passing: Haley.

The Conference Committee Report was adopted.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **HB 2285**.

On motion of Senator Alley, the Senate recessed until 9:00 p.m.

EVENING SESSION

The Senate met pursuant to recess with President Masterson in the chair.

MESSAGE FROM THE HOUSE

The House adopts the Conference Committee report on **SB 25**

The House adopts the Conference Committee report on **SB 106**.

Announcing adoption of **HCR 5016**.

HCR 5016, A CONCURRENT RESOLUTION relating to the adjournment sine die of the Senate and House of Representatives during the 2023 regular session of the legislature, was introduced and read by title.

On emergency motion of Senator Alley, **HCR 5016** was adopted by voice vote.

ORIGINAL MOTION

Senator Alley moved that subsection 4(k) of the Joint Rules of the Senate and House of Representatives be suspended for the purpose of considering the following bill: **SB 106**.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 25** 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 31; following line 31, by inserting:

"Section 1. (a) For the fiscal years ending June 30, 2023, June 30, 2024, June 30, 2025, June 30, 2026, June 30, 2027, and June 30, 2028, 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 2023 and shall constitute the omnibus reconciliation spending limit bill for the 2023 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.

Sec. 2.

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, 2024.....\$12,809,736

Provided, That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2024, 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, 2024, for official hospitality for the division of banking shall not exceed \$1,000.

For the fiscal year ending June 30, 2025.....\$12,720,158

Provided, That expenditures from the bank commissioner fee fund for the fiscal year ending June 30, 2025, 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, 2025, 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, 2024.....No limit

For the fiscal year ending June 30, 2025.....No limit

Consumer education settlement fund (094-00-2560-2500)

For the fiscal year ending June 30, 2024.....No limit

Provided, That expenditures may be made from the consumer education settlement fund for the fiscal year ending June 30, 2024, 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, 2025.....No limit

Provided, That expenditures may be made from the consumer education settlement fund for the fiscal year ending June 30, 2025, 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, 2024.....No limit

Provided, That the above agency is authorized to make expenditures from the litigation expense fund for the fiscal year ending June 30, 2024, 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, 2024, 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 credited to the litigation expense fund.

For the fiscal year ending June 30, 2025.....No limit

Provided, That the above agency is authorized to make expenditures from the litigation expense fund for the fiscal year ending June 30, 2025, 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, 2025, 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 credited to the litigation expense fund.

(b) On July 1, 2023, the provisions of section 12(a) of 2023 House Bill No. 2184 are hereby declared to be null and void and shall have no force and effect.

Sec. 3.

BEHAVIORAL SCIENCES REGULATORY BOARD

(a) On July 1, 2023, if Substitute for Senate Bill No. 131 has been passed by the legislature during the 2023 regular session and enacted into law, then the expenditure limitation established for the fiscal year ending June 30, 2024, by section 15(a) of 2023 House Bill No. 2184 on the behavioral sciences regulatory board fee fund (102-00-2730-0100) of the behavioral sciences regulatory board is hereby increased from \$1,050,908 to \$1,147,260.

(b) On July 1, 2023, if Substitute for Senate Bill No. 131 has been passed by the legislature during the 2023 regular session and enacted into law, then the expenditure limitation established for the fiscal year ending June 30, 2025, by section 15(a) of 2023 House Bill No. 2184 on the behavioral sciences regulatory board fee fund (102-00-2730-0100) of the behavioral sciences regulatory board is hereby increased from \$1,073,817 to \$1,170,169.

Sec. 4.

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, 2023, by section 14(b) of chapter 81 of the 2022 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 \$34,010 to \$36,510.

(b) On July 1, 2023, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 21(a) of 2023 House Bill No. 2184 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 \$37,695 to \$42,695.

(c) On July 1, 2023, the expenditure limitation established for the fiscal year ending June 30, 2025, by section 21(a) of 2023 House Bill No. 2184 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 \$37,695 to \$42,695.

Sec. 5.

STATE BOARD OF PHARMACY

(a) During the fiscal year ending June 30, 2023, notwithstanding the provisions of K.S.A. 2022 Supp. 65-16,130, and amendments thereto, or any other statute to the contrary, no expenditures shall be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2023 as authorized by section 18 of chapter 116 or section 21 of chapter 98 of the 2021 Session Laws of Kansas, section 17 of chapter 81 of the 2022 Session Laws of Kansas, this or any other appropriation act of the 2023 regular session of the legislature to prohibit or enforce a prohibition against an arrangement between payors and selected pharmacies to ship a patient's pharmaceutical medication directly to a site of care or directly to the patient for administration at the site of care: *Provided, however;* That the above agency may implement or enforce such prohibition if such agency requires that an alternative pharmaceutical medication provided by the site of care not exceed the cost to the patient or payor of the pharmaceutical medication if such pharmaceutical medication were provided by the payor and a selected pharmacy shipping such pharmaceutical medication directly to the patient at the patient's home or the site of care.

Sec. 6.

STATE BOARD OF PHARMACY

(a) During the fiscal years ending June 30, 2024, and June 30, 2025, notwithstanding the provisions of K.S.A. 2022 Supp. 65-16,130, and amendments thereto, or any other statute to the contrary, no expenditures shall be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal year 2024 or 2025 as authorized by section 26 of 2023 House Bill No. 2184, this or any other appropriation act of the 2024 or 2025 regular session of the legislature to prohibit or enforce a prohibition against an arrangement between payors and selected pharmacies to ship a patient's pharmaceutical medication directly to a site of care or directly to the patient for administration at the site of care: *Provided, however;* That the above agency may implement or enforce such prohibition if such agency requires that an alternative pharmaceutical medication provided by the site of care not exceed the cost to the patient or payor of the pharmaceutical medication if such pharmaceutical medication were provided by the payor and a selected pharmacy shipping such pharmaceutical medication directly to the patient at the patient's home or the site of care.

Sec. 7.

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, 2024.....\$13,000

For the fiscal year ending June 30, 2025.....\$13,000
Sec. 8.

GOVERNOR'S DEPARTMENT

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Domestic violence
prevention grants (252-00-1000-0600).....\$4,550,000
Child advocacy centers (252-00-1000-0610).....\$450,000

(b) During the fiscal years ending June 30, 2024, and June 30, 2025, in addition to the other purposes for which expenditures may be made by the above agency, expenditures shall be made by the above agency from moneys appropriated for fiscal year 2024 and fiscal year 2025 by section 38 of 2023 House Bill No. 2184, this or any other appropriation act of the 2023 or 2024 regular session of the legislature to post on a searchable website accessible to the public, pursuant to the Kansas taxpayer transparency act, K.S.A. 74-72,123, and amendments thereto, and as allowable by federal regulations, any grant applied for or awarded by any agency related to the American Rescue Plan Act – state fiscal recovery fund related to the four programmatic areas of connectivity, efficiency and modernization, health and education, and economic revitalization, as well as awards applied for and made through the building a stronger economy grants program and building a stronger economy 2.0 grants programs: *Provided*, That the list of all such awards shall include: (1) Such organization name; (2) the county where the grant project is located; (3) a brief description of the grant project; (4) the dollar amount awarded; and (5) the date that the above agency awarded the grant: *Provided further*, That information required to be included on the website pursuant to this paragraph shall be posted within 30 business days after the date of awarding the grant.

(c) On July 1, 2023, section 143 of 2023 House Bill No. 2184 is hereby declared null and void and shall have no force and effect.
Sec. 9.

ATTORNEY GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (082-00-1000-0103).....\$1,741,564

Provided, That if 2023 Senate Bill No. 174, or other legislation that authorizes the attorney general to prosecute any crime that is part of an alleged course of criminal conduct that occurred in two or more counties, is not passed by the legislature during the 2023 regular session and enacted into law, then on July 1, 2023, of the \$1,741,564 appropriated for the above agency for the fiscal year ending June 30, 2024, by this section from the state general fund in the operating expenditures account, the sum of \$252,825 is hereby lapsed.

Sec. 10.

SECRETARY OF STATE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Presidential preference primary.....\$4,700,000

Sec. 11.

STATE TREASURER

(a) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the state general fund in the water supply storage debt payment for Milford and Perry reservoirs account (039-00-1000-0610) of the above agency for fiscal years 2023, 2024, 2025, 2026, 2027 and 2028 as authorized by sections 41 through 46 of 2023 House Bill No. 2184, this or any other appropriation act of the 2023, 2024, 2025, 2026 or 2027 regular session of the legislature, expenditures may be made by the above agency from such moneys appropriated in fiscal years 2023, 2024, 2025, 2026, 2027 and 2028 to direct, in the state treasurer's discretion, the pooled money investment board to invest all moneys in the water supply storage debt payment for Milford and Perry reservoirs account in United States treasury bills that may be purchased by the state treasurer pursuant to section 41 of 2023 House Bill No. 2184.

(b) On the effective date of this act, the provisions of the proviso on section 1(a) and the provisions of section 2 of 2023 Senate Substitute for House Bill No. 2302 are hereby declared to be null and void and shall have no force and effect.

(c) On the effective date of this act, the \$52,000,000 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 1(a) of 2023 Senate Substitute for House Bill No. 2302 from the state general fund in the water supply storage debt payment for Milford and Perry reservoirs account (039-00-1000-0610) is hereby lapsed.

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Build Kansas matching grant fund.....No limit

Provided, That during the fiscal year ending June 30, 2024, no expenditures shall be made from or obligation incurred against the build Kansas matching grant fund without the requesting state agency advising and consulting with the build Kansas advisory committee, subject to the provisions of these provisos: *Provided further*, That the build Kansas advisory committee shall be composed of nine members of the legislature appointed as follows: (1) One member appointed by the governor; (2) three members appointed by the speaker of the house of representatives; (3) three members appointed by the president of the senate; (4) one member appointed by the minority leader of the house of representatives; and (5) one member appointed by the minority leader of the senate: *And provided further*, That the chairperson of such committee shall be a senate member appointed by the president of the senate, and the vice chairperson shall be a representative member appointed by the speaker of the house of representatives: *And provided further*, That any state agency named in 2023 House Bill No. 2184 that is knowledgeable concerning potential infrastructure projects that may be funded by the infrastructure investment and jobs act, public law 117-58, shall inform and educate local communities of the funding opportunities available in such act: *And provided further*, That such state agencies shall provide assistance as necessary to interested local communities: *And provided further*, That such state agencies shall form a steering committee to meet regularly in order to coordinate efforts and develop a process to ensure that local communities are informed and connected with the coordinating state agency: *And provided further*, That the steering committee, after advising and consulting with the build Kansas advisory committee, shall establish a means test to

determine whether the local community is an eligible entity pursuant to the infrastructure investment and jobs act and has demonstrated a need for such grant: *And provided further*, That a grant funding application requesting matching funds for the purposes of the infrastructure investment and jobs act shall be approved by the coordinating state agency, in consultation with the steering committee, prior to submission to the build Kansas advisory committee: *And provided further*, That the grant funding application requested by eligible entities from the build Kansas matching grant fund and approved by the coordinating state agency shall be submitted to the build Kansas advisory committee: *And provided further*, That as soon as practicable, the build Kansas advisory committee shall meet and review each request and report such committee's advice to the state treasurer, the eligible entity submitting the grant application and the coordinating state agency that is providing assistance to the eligible entity in the local community: *Provided however*, That other than operating expenditures, no expenditures shall be made from the build Kansas matching grant fund without written documentation to the state treasurer that such grant funding application has been approved by the federal government pursuant to the infrastructure investment and jobs act: *And provided further*, That, after the requesting state agency advises and consults with the build Kansas advisory committee and receives notification of federal approval, the above agency shall expend matching grant funds to the eligible entity that has been awarded such grant subject to the provisions of the grant: *And provided further*, That such matching grant funds shall be used by eligible entities to support projects funded by the infrastructure investment and jobs act: *And provided further*, That such projects shall include, but not be limited to, water, transportation, energy, cyber security and broadband infrastructure: *And provided further*, That no expenditures from the build Kansas matching grant fund for the fiscal year ending June 30, 2024, shall be made for salaries and wages and other operating expenditures, including, but not limited to, hiring grant writers and consultants to provide technical assistance and educational opportunities: *And provided however*, That if during fiscal year 2024, the build Kansas advisory committee determines that the unencumbered balance in the build Kansas matching grant fund is insufficient to pay an amount that is necessary to finance grant applications approved by such committee pursuant to this proviso, such committee may request approval from the state finance council to transfer an amount equal to the insufficient amount from the state general fund to the build Kansas matching grant fund: *And provided however*, That no such transfer shall be made from the state general fund to the build Kansas matching grant fund without approval from 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 the state finance council is hereby authorized to approve such transfers: *And provided further*, That, if approved, the director of accounts and reports shall make such transfer: *And provided however*, That the total of all amounts transferred from the state general fund to the build Kansas matching grant fund pursuant to this proviso shall not exceed \$215,000,000: *And provided further*, That approved grant applications shall be distributed geographically based on the department of commerce's Kansas economic development districts and, for the purposes of this proviso, the Mo-Kan district shall be combined with those counties that are not associated with any Kansas economic development district: *And provided further*, That

the build Kansas advisory committee may meet to advise and consult on any such request while the legislature is in session and in person or through the use of telephone or any other medium for interactive communication.

(e) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$50,000,000 from the state general fund to the build Kansas matching grant fund.

Sec. 12.

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, 2025, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Build Kansas matching grant fund.....No limit

Provided, That during the fiscal year ending June 30, 2025, no expenditures shall be made from or obligation incurred against the build Kansas matching grant fund without the requesting state agency advising and consulting with the build Kansas advisory committee, as established in section 11, subject to the provisions of these provisos: *Provided, however*, That during the fiscal year ending June 30, 2025, the chairperson of such committee shall be a representative member appointed by the speaker of the house of representatives and the vice chairperson shall be a senate member appointed by the president of the senate: *And provided further*, That any state agency named in 2023 House Bill No. 2184 that is knowledgeable concerning potential infrastructure projects that may be funded by the infrastructure investment and jobs act, public law 117-58, shall inform and educate local communities of the funding opportunities available in such act: *And provided further*, That such state agencies shall provide assistance as necessary to interested local communities: *And provided further*, That such state agencies shall form a steering committee to meet regularly in order to coordinate efforts and develop a process to ensure that local communities are informed and connected with the coordinating state agency: *And provided further*, That the steering committee, after advising and consulting with the build Kansas advisory committee, shall establish a means test to determine whether the local community is an eligible entity pursuant to the infrastructure investment and jobs act and has demonstrated a need for such grant: *And provided further*, That a grant funding application, requesting matching funds for the purposes of the infrastructure investment and jobs act, shall be approved by the coordinating state agency, in consultation with the steering committee, prior to submission to the build Kansas advisory committee: *And provided further*, That the grant funding application requested by eligible entities from the build Kansas matching grant fund and approved by the coordinating state agency shall be submitted to the build Kansas advisory committee: *And provided further*, That as soon as practicable, the build Kansas advisory committee shall meet and review each request and shall report such committee's advice to the state treasurer, the eligible entity submitting the grant application and the coordinating state agency that is providing assistance to the eligible entity in the local community: *Provided however*, That other than operating expenditures, no expenditures shall be made from the build Kansas matching grant fund without written documentation to the state treasurer that such grant funding application has been approved by the federal government pursuant to the infrastructure investment and jobs act: *And provided further*, That, after the requesting state agency advises and

consults with the build Kansas advisory committee and receives notification of federal approval, the above agency shall expend matching grant funds to the eligible entity that has been awarded such grant subject to the provisions of the grant: *And provided further*, That such matching grant funds shall be used by eligible entities to support projects funded by the infrastructure investment and jobs act: *And provided further*, That such projects shall include, but not be limited to, water, transportation, energy, cyber security and broadband infrastructure: *And provided further*, That expenditures from the build Kansas matching grant fund for the fiscal year ending June 30, 2025, for salaries and wages and other operating expenditures, including, but not limited to, hiring grant writers and consultants to provide technical assistance and educational opportunities, shall not exceed \$5,000,000 and are subject to advice and consultation with the build Kansas advisory committee: *And provided however*, That if during fiscal year 2025, the build Kansas advisory committee determines that the unencumbered balance in the build Kansas matching grant fund is insufficient to pay an amount that is necessary to finance grant applications approved by such committee pursuant to this proviso, such committee may request approval from the state finance council to transfer an amount equal to the insufficient amount from the state general fund to the build Kansas matching grant fund: *And provided however*, That no such transfer shall be made from the state general fund to the build Kansas matching grant fund without approval from 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 the state finance council is hereby authorized to approve such transfers: *And provided further*, That if approved, the director of accounts and reports shall make such transfer: *And provided however*, That the total of all amounts transferred from the state general fund to the build Kansas matching grant fund pursuant to this proviso and the provisions of section 11 shall not exceed \$215,000,000: *And provided further*, That approved grant applications shall be distributed geographically based on the department of commerce's Kansas economic development districts and, for the purposes of this proviso, the Mo-Kan district shall be combined with those counties that are not associated with any Kansas economic development district: *And provided further*, That the build Kansas advisory committee may meet to advise and consult on any such request while the legislature is in session and in person or through the use of telephone or any other medium for interactive communication: *And provided further*, That on or before the first day of the 2025 regular session of the legislature, any coordinating state agency providing assistance to local communities shall submit a report on all expenditures, grant applications and approved grant applications from the build Kansas matching grant fund for the preceding fiscal year to the house of representatives committee on appropriations and the senate committee on ways and means.

(b) On July 1, 2024, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$55,000,000 from the state general fund to the build Kansas matching grant fund: *Provided, however*, That if in the aggregate, the amount transferred from the state general fund to the build Kansas matching grant fund pursuant to any previous state finance council action is equal to \$215,000,000, then the provisions of this subsection are null and void.

Sec. 13.

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, 2026, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Build Kansas matching grant fund.....No limit

Provided, That during the fiscal year ending June 30, 2026, no expenditures shall be made from or obligation incurred against the build Kansas matching grant fund without the requesting state agency advising and consulting with the build Kansas advisory committee, as established in section 11, subject to the provisions of these provisos: *Provided, however*, That during the fiscal year ending June 30, 2026, the chairperson of such committee shall be a senate member appointed by the president of the senate, and the vice chairperson shall be a representative member appointed by the speaker of the house of representatives: *And provided further*, That any state agency named in 2023 House Bill No. 2184 that is knowledgeable concerning potential infrastructure projects that may be funded by the infrastructure investment and jobs act, public law 117-58, shall inform and educate local communities of the funding opportunities available in such act: *And provided further*, That such state agencies shall provide assistance as necessary to interested local communities: *And provided further*, That such state agencies shall form a steering committee to meet regularly in order to coordinate efforts and develop a process to ensure that local communities are informed and connected with the coordinating state agency: *And provided further*, That the steering committee, after advising and consulting with the build Kansas advisory committee, shall establish a means test to determine whether the local community is an eligible entity pursuant to the infrastructure investment and jobs act and has demonstrated a need for such grant: *And provided further*, That a grant funding application, requesting matching funds for the purposes of the infrastructure investment and jobs act, shall be approved by the coordinating state agency, in consultation with the steering committee, prior to submission to the build Kansas advisory committee: *And provided further*, That the grant funding application requested by eligible entities from the build Kansas matching grant fund and approved by the coordinating state agency shall be submitted to the build Kansas advisory committee: *And provided further*, That as soon as practicable, the build Kansas advisory committee shall meet and review each request and shall report such committee's advice to the state treasurer, the eligible entity submitting the grant application and the coordinating state agency that is providing assistance to the eligible entity in the local community: *Provided however*, That other than operating expenditures, no expenditures shall be made from the build Kansas matching grant fund without written documentation to the state treasurer that such grant funding application has been approved by the federal government pursuant to the infrastructure investment and jobs act: *And provided further*, That, after the requesting state agency advises and consults with the build Kansas advisory committee and receives notification of federal approval, the above agency shall expend matching grant funds to the eligible entity that has been awarded such grant subject to the provisions of the grant: *And provided further*, That such matching grant funds shall be used by eligible entities to support projects funded by the infrastructure investment and jobs act: *And provided further*, That such projects shall include, but not be limited to, water, transportation, energy, cyber security and broadband infrastructure: *And provided further*, That expenditures from the

build Kansas matching grant fund for the fiscal year ending June 30, 2026, for salaries and wages and other operating expenditures, including, but not limited to, hiring grant writers and consultants to provide technical assistance and educational opportunities, shall not exceed \$5,000,000 and are subject to advice and consultation with the build Kansas advisory committee: *And provided however*, That if during fiscal year 2026, the build Kansas advisory committee determines that the unencumbered balance in the build Kansas matching grant fund is insufficient to pay an amount that is necessary to finance grant applications approved by such committee pursuant to this proviso, such committee may request approval from the state finance council to transfer an amount equal to the insufficient amount from the state general fund to the build Kansas matching grant fund: *And provided however*, That no such transfer shall be made from the state general fund to the build Kansas matching grant fund without approval from 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 the state finance council is hereby authorized to approve such transfers: *And provided further*, That if approved, the director of accounts and reports shall make such transfer: *And provided however*, That the total of all amounts transferred from the state general fund to the build Kansas matching grant fund pursuant to this proviso and the provisions of sections 11 and 12 shall not exceed \$215,000,000: *And provided further*, That approved grant applications shall be distributed geographically based on the department of commerce's Kansas economic development districts, and for the purposes of this proviso, the Mo-Kan district shall be combined with those counties that are not associated with any Kansas economic development district: *And provided further*, That expenditures shall be made by the above agency from such fund during fiscal year 2026 to review the location of all grants awarded in each Kansas economic development district including the combined counties Mo-Kan district: *And provided further*, That during fiscal year 2026, the above agency shall collaborate with the coordinating state agencies to ensure that each Kansas economic development district and the combined counties Mo-Kan district does not have less than \$10,000,000 allocated to grant projects in such district from the build Kansas matching grant fund: *And provided further*, That the build Kansas advisory committee may meet to advise and consult on any such request while the legislature is in session and in person or through the use of telephone or any other medium for interactive communication: *And provided further*, That on or before the first day of the 2026 regular session of the legislature, any coordinating state agency providing assistance to local communities shall submit a report on all expenditures, grant applications and approved grant applications from the build Kansas matching grant fund for the preceding fiscal year to the house of representatives committee on appropriations and the senate committee on ways and means.

(b) On July 1, 2025, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$55,000,000 from the state general fund to the build Kansas matching grant fund: *Provided, however*, That if in the aggregate, the amount transferred from the state general fund to the build Kansas matching grant fund pursuant to any previous state finance council action is equal to \$215,000,000, then the provisions of this subsection are null and void.

Sec. 14.

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, 2027, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Build Kansas matching grant fund.....No limit

Provided, That during the fiscal year ending June 30, 2027, no expenditures shall be made from or obligation incurred against the build Kansas matching grant fund without the requesting state agency advising and consulting with the build Kansas advisory committee, as established in section 11, subject to the provisions of these provisos: *Provided, however*, That during the fiscal year ending June 30, 2027, the chairperson of such committee shall be a representative member appointed by the speaker of the house of representatives, and the vice chairperson shall be a senate member appointed by the president of the senate: *And provided further*, That any state agency named in 2023 House Bill No. 2184 that is knowledgeable concerning potential infrastructure projects that may be funded by the infrastructure investment and jobs act, public law 117-58, shall inform and educate local communities of the funding opportunities available in such act: *And provided further*, That such state agencies shall provide assistance as necessary to interested local communities: *And provided further*, That such state agencies shall form a steering committee to meet regularly in order to coordinate efforts and develop a process to ensure that local communities are informed and connected with the coordinating state agency: *And provided further*, That the steering committee, after advising and consulting with the build Kansas advisory committee, shall establish a means test to determine whether the local community is an eligible entity pursuant to the infrastructure investment and jobs act and has demonstrated a need for such grant: *And provided further*, That a grant funding application requesting matching funds for the purposes of the infrastructure investment and jobs act, shall be approved by the coordinating state agency, in consultation with the steering committee, prior to submission to the build Kansas advisory committee: *And provided further* That the grant funding application requested by eligible entities from the build Kansas matching grant fund and approved by the coordinating state agency shall be submitted to the build Kansas advisory committee: *And provided further*, That as soon as practicable, the build Kansas advisory committee shall meet and review each request and shall report such committee's advice to the state treasurer, the eligible entity submitting the grant application and the coordinating state agency that is providing assistance to the eligible entity in the local community: *Provided however*, That other than operating expenditures, no expenditures shall be made from the build Kansas matching grant fund without written documentation to the state treasurer that such grant funding application has been approved by the federal government pursuant to the infrastructure investment and jobs act: *And provided further*, That, after the requesting state agency advises and consults with the build Kansas advisory committee and receives notification of federal approval, the above agency shall expend matching grant funds to the eligible entity that has been awarded such grant subject to the provisions of the grant: *And provided further*, That such matching grant funds shall be used by eligible entities to support projects funded by the infrastructure investment and jobs act: *And provided further*, That such projects shall include, but not be limited to, water, transportation, energy, cyber security and broadband infrastructure: *And provided further*, That expenditures from the

build Kansas matching grant fund for the fiscal year ending June 30, 2027, for salaries and wages and other operating expenditures, including, but not limited to, hiring grant writers and consultants to provide technical assistance and educational opportunities, shall not exceed \$5,000,000 and are subject to advice and consultation with the build Kansas advisory committee: *And provided however*, That if during fiscal year 2027, the build Kansas advisory committee determines that the unencumbered balance in the build Kansas matching grant fund is insufficient to pay an amount that is necessary to finance grant applications approved by such committee pursuant to this proviso, such committee may request approval from the state finance council to transfer an amount equal to the insufficient amount from the state general fund to the build Kansas matching grant fund: *And provided however*, That no such transfer shall be made from the state general fund to the build Kansas matching grant fund without approval from 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 the state finance council is hereby authorized to approve such transfers: *And provided further*, That if approved, the director of accounts and reports shall make such transfer: *And provided however*, That the total of all amounts transferred from the state general fund to the build Kansas matching grant fund pursuant to this proviso and the provisions of sections 11, 12 and 13 shall not exceed \$215,000,000: *And provided further*, That approved grant applications shall be distributed geographically based on the department of commerce's Kansas economic development districts, and for the purposes of this proviso, the Mo-Kan district shall be combined with those counties that are not associated with any Kansas economic development district: *And provided further*, That expenditures shall be made by the above agency from such fund during fiscal year 2027 to review the location of all grants awarded in each Kansas economic development district including the combined counties Mo-Kan district: *And provided further*, That during fiscal year 2027, the above agency shall collaborate with the coordinating state agencies to ensure that each Kansas economic development district and the combined counties Mo-Kan district does not have less than \$10,000,000 allocated to grant projects in such district from the build Kansas matching grant fund: *And provided further*, That the build Kansas advisory committee may meet to advise and consult on any such request while the legislature is in session and in person or through the use of telephone or any other medium for interactive communication: *And provided further*, That on or before the first day of the 2027 regular session of the legislature, any coordinating state agency providing assistance to local communities shall submit a report on all expenditures, grant applications and approved grant applications from the build Kansas matching grant fund for the preceding fiscal year to the house of representatives committee on appropriations and the senate committee on ways and means.

(b) On July 1, 2026, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$55,000,000 from the state general fund to the build Kansas matching grant fund: *Provided, however*, That if in the aggregate, the amount transferred from the state general fund to the build Kansas matching grant fund pursuant to any previous state finance council action is equal to \$215,000,000, then the provisions of this subsection are null and void.

Sec. 15.

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, 2028, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Build Kansas matching grant fund.....No limit

Provided, That during the fiscal year ending June 30, 2028, no expenditures shall be made from or obligation requested to be incurred against the build Kansas matching grant fund without advising and consulting with build Kansas advisory committee, as established in section 11, subject to the provisions of section 14(a): *Provided, however*, That during the fiscal year ending June 30, 2028, the chairperson of such committee shall be a senate member appointed by the president of the senate, and the vice chairperson shall be a representative member appointed by the speaker of the house of representatives: *And provided further*, That on or before September 30, 2027, any coordinating state agency providing assistance to local communities shall submit a report on all expenditures, grant applications and approved grant applications from the build Kansas matching grant fund for the preceding fiscal year to the house of representatives committee on appropriations and the senate committee on ways and means.

(b) On September 30, 2027, the director of accounts and reports shall transfer all moneys in the build Kansas matching grant fund to the state general fund. On September 30, 2027, all liabilities of the build Kansas matching grant fund are hereby transferred to and imposed on the state general fund and the build Kansas matching grant fund is hereby abolished.

Sec. 16.

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, 2024, 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:

Group-funded pools refund fund.....No limit

(b) During the fiscal years ending June 30, 2023, and June 30, 2024, notwithstanding the provisions of K.S.A. 40-103, and amendments thereto, or any other statute to the contrary, no expenditures shall be made by the above agency from moneys appropriated from any special revenue fund or funds for the above agency for fiscal year 2023 or 2024 as authorized by chapter 81 of the 2022 Session Laws of Kansas, section 47 of 2023 House Bill No. 2184, this or any other appropriation act of the 2023 regular session of the legislature to enhance, support, plan, implement or impose federal market reforms, changes or additions to essential health benefits under part A of title XXVII of the federal public health service act, including, but not limited to, the imposition of new health insurance mandates or consumer benefits on a health plan of any individual, group, governmental agency or entity, whether such health plan is insured or self-insured unless the legislature expressly consents to and approves of such action or actions by an act of the legislature.

(c) On the effective date of this act, the provisions of section 47(c) of 2023 House Bill No. 2184 are hereby declared to be null and void and shall have no force and effect.

Sec. 17.

HEALTH CARE STABILIZATION
FUND BOARD OF GOVERNORS

(a) Notwithstanding the provisions of K.S.A. 40-3401, and amendments thereto, or any other statute, during the fiscal year ending June 30, 2024, 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 of the above agency for fiscal year 2024 as authorized by section 48 of 2023 House Bill No. 2184, this or other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys for fiscal year 2024 to deem a maternity center as a "healthcare provider" for the purposes of the healthcare provider insurance availability act, K.S.A. 40-3401 et seq., and amendments thereto, if such maternity center: (1) Has been granted accreditation by the commission for accreditation of birth centers; and (2) is a maternity center as defined in K.S.A. 65-503, and amendments thereto.

Sec. 18.

JUDICIAL COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (349-00-1000).....\$696,664

Sec. 19.

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, 2024, the following:

Operating expenditures (328-00-1000-0603).....\$1,781,626

Sec. 20.

KANSAS PUBLIC EMPLOYEES
RETIREMENT SYSTEM

(a) 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, 2024, for the following specified purposes:

Agency operations (365-00-7002-7400).....\$166,421

(b) In addition to the other purposes for which expenditures may be made by the above agency from moneys appropriated from the investment-related expenses account (365-00-7002-8000) of the Kansas public employees retirement fund (365-00-7002-7000) for fiscal year 2024 as authorized by section 56(b) of 2023 House Bill No. 2184, this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made from such account for fiscal year 2024, in an amount not to exceed \$450,000, for a contract for proxy voting services: *Provided*, That such contract shall be executed on or before October 1, 2023.

Sec. 21.

DEPARTMENT OF ADMINISTRATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Licensing verification portal.....\$84,000

(b) On July 1, 2023, the expenditure limitation for official hospitality established for the fiscal year ending June 30, 2024, by section 63(a) of 2023 House Bill No. 2184

on the budget analysis account (173-00-1000-0520) of the state general fund of the department of administration is hereby decreased from \$2,000 to \$1,000.

(c) On July 1, 2023, of the \$1,997,630 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 63(a) of 2023 House Bill No. 2184 from the state general fund in the budget analysis account (173-00-1000-0520), the sum of \$40,670 is hereby lapsed.

(d) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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:

1st Kansas (colored) voluntary infantry regiment mural fund.....No limit
Ad astra sculpture fund.....No limit

(e) During the fiscal year ending June 30, 2024, notwithstanding the provisions of K.S.A. 2022 Supp. 48-3406, as amended by section 2 of 2023 Senate Bill No. 66, or any other statute, 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 for fiscal year 2024 as authorized by section 63 of 2023 House Bill No. 2184, this or any other appropriation act of the 2023 regular session of the legislature to require the board of accountancy, board of barbering, board of examiners in optometry, state board of veterinary examiners, governmental ethics commission, Kansas dental board or the state board of mortuary arts to comply with a central electronic record system developed and implemented by the secretary of administration.

Sec. 22.

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, 2024, the following:

Vendor contract (335-00-1000).....\$2,500,000

Sec. 23.

DEPARTMENT OF REVENUE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Gage park improvement district.....\$2,000,000

(b) 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 2024 as authorized by section 73 of 2023 House Bill No. 2184, this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys to modernize driver's licenses to allow electronic use as a digital driver's license that can be stored on mobile device applications: *Provided*, That such digital driver's license shall be compatible with federal transportation security administration checkpoints.

Sec. 24.

KANSAS LOTTERY

(a) On the effective date of this act, the aggregate of the amounts authorized by section 74(a) of 2023 House Bill No. 2184 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, 2023, is hereby increased from \$69,490,000 to \$73,740,000.

Sec. 25.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

World cup planning and area improvements.....\$10,000,000

Sec. 26.

DEPARTMENT OF COMMERCE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Statewide marketing campaign for high demand and high wage career fields.....\$2,500,000

Provided, That expenditures shall be made by the above agency from statewide marketing campaign for high demand and high wage career fields account for a contract with Level Up Kansas, a Kansas nonprofit, for the purpose of providing a statewide marketing campaign to underskilled adult learners about training opportunities available at Kansas postsecondary educational institutions in high demand and high wage career fields.

Any unencumbered balance in the world cup planning and area improvements account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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 nonprofit apprenticeship grant program fund.....No limit

Kansas educator registered apprenticeship grant program fund.....No limit

Engineering graduate incentive fund.....No limit

Kansas film and digital media production development act education fund.....No limit

Kansas film and digital media production development act workforce training and business direct investment fund.....No limit

(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 2024 as authorized by section 77 of 2023 House Bill No. 2184, this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made from such moneys to define, for the purposes of section 77(j)(1) of 2023 House Bill No. 2184, "amusement rides" to mean the same as defined in K.S.A. 44-1601, and amendments thereto, and includes such amusement rides and further includes buildings necessary to house and operate such amusement park ride, buildings immediately adjacent and attached to such amusement park ride and a building necessary to house a conference center within the major amusement park area.

(d) On the effective date of this act, the provisions of section 77(j)(2)(A) of 2023 House Bill No. 2184 are hereby declared to be null and void and shall have no force and effect.

Sec. 27.

DEPARTMENT OF COMMERCE

(a) Any unencumbered balance in statewide marketing campaign for high demand and high wage career fields account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025: *Provided*, That the above agency shall submit a report on the campaign to the house of representatives committee on commerce, labor and economic development and the senate committee on commerce on or before February 1, 2025.

Sec. 28.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Operating expenditures (296-00-1000-0503).....\$23,000

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 64(b) of chapter 81 of the 2022 Session Laws of Kansas on the workmen's compensation fee fund (296-00-2124-2220) of the department of labor is hereby decreased from \$13,263,070 to \$12,067,209.

(c) On the effective date of this act, the provisions of section 80(c) of 2023 House Bill No. 2184 are hereby declared to be null and void and shall have no force and effect.

Sec. 29.

DEPARTMENT OF LABOR

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (296-00-1000-0503).....\$890,000

(b) On July 1, 2023, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 81(b) of 2023 House Bill No. 2184 on the workmen's compensation fee fund (296-00-2124-2220) of the department of labor is hereby increased from \$12,321,935 to \$12,375,379.

(c) During the fiscal year ending June 30, 2024, notwithstanding the provisions of K.S.A. 44-710a, and amendments thereto, or any other statute to the contrary, 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 as authorized by section 81 of 2023 House Bill No. 2184, this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys to recalculate the rate of both employers in a full or partial successorship pursuant to K.S.A. 44-710a(b)(4)(A), and amendments thereto, on the first day of the next calendar year following the date of transfer of trade or business.

(d) During the fiscal year ending June 30, 2024, notwithstanding the provisions of K.S.A. 44-703, and amendments thereto, or any other statute to the contrary, 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 as authorized by section 81 of 2023 House Bill No. 2184, this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys to determine the benefit year, including any subsequent benefit year, under K.S.A. 44-703(d), and amendments thereto, with respect to an individual as beginning with the Sunday of the first week for which such individual files a valid claim for benefits.

Sec. 30.

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, 2024, the following:

Child abuse review and evaluation (264-00-1000-1550).....	\$117,653
Operating expenditures (including official hospitality) – health (264-00-1000-0270).....	\$21,250

Sec. 31.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF HEALTH CARE FINANCE

(a) On the effective date of this act, of the \$692,680,872 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 70(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the other medical assistance account (264-00-1000-3026), the sum of \$28,000,000 is hereby lapsed.

Sec. 32.

DEPARTMENT OF HEALTH AND ENVIRONMENT –
DIVISION OF HEALTH CARE FINANCE

(a) On July 1, 2023, of the \$700,032,680 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 86(a) of 2023 House Bill No. 2184 from the state general fund in the other medical assistance account (264-00-1000-3026), the sum of \$18,282,680 is hereby lapsed.

Sec. 33.

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, 2023, the following:

Non-KanCare caseloads (039-00-1000-0611).....	\$540,000
Larned state hospital – operating expenditures (410-00-1000-0103).....	\$10,360,000

(b) On the effective date of this act, the expenditure limitation established for the fiscal year ending June 30, 2023, by section 74(b) of chapter 81 of the 2022 Session Laws of Kansas on the Kansas neurological institute fee fund (363-00-2059-2000) of the Kansas department for aging and disability services is hereby increased from \$1,324,436 to \$1,500,793.

(c) On the effective date of this act, of the \$431,984,882 appropriated for the above agency for the fiscal year ending June 30, 2023, by section 74(a) of chapter 81 of the 2022 Session Laws of Kansas from the state general fund in the KanCare caseloads account (039-00-1000-0610), the sum of \$32,000,000 is hereby lapsed.

(d) There is appropriated for the above agency from the state institutions building fund for the fiscal year ending June 30, 2023, for the capital improvement project or projects specified, the following:

Rehabilitation and repair projects (039-00-8100-8240).....	\$715,000
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Sec. 34.

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, 2024, the following:

Community services and programs account (039-00-1000-0520).....	\$200,000
Non-KanCare caseloads (039-00-1000-0611).....	\$5,500,000
Program for all-inclusive care for the elderly.....	\$2,500,000
<i>Provided, That expenditures shall be made by the above agency from the program for all-inclusive care for the elderly account to expand the PACE program to additional Kansas counties.</i>	
Counties and hospitals reimbursement.....	\$5,000,000
Program grants – nutrition – state match (039-00-1000-0280).....	\$1,500,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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:

County competency expense fund.....No limit

(c) On July 1, 2023, of the \$551,600,000 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 89(a) of 2023 House Bill No. 2184 from the state general fund in the KanCare caseloads account (039-00-1000-0610), the sum of \$18,600,000 is hereby lapsed.

Sec. 35.

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, 2023, the following:

Youth services aid and assistance account (629-00-1000-7020).....	\$5,640,000
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Sec. 36.

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, 2024, the following:

State operations (including official hospitality) (629-00-1000-0013).....	\$511,288
Youth services aid and assistance account (629-00-1000-7020).....	\$867,444

(b) On July 1, 2023, of the \$134,710,032 appropriated for the above agency for the fiscal year ending June 30, 2024, by section 91(a) of 2023 House Bill No. 2184 from the state general fund in the state operations (including official hospitality) account (629-00-1000-0013), the sum of \$3,550,000 is hereby lapsed.

(c) On July 1, 2023, the provisions of section 91(g) of 2023 House Bill No. 2184 are hereby declared to be null and void and shall have no force and effect.

Sec. 37.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Mental health intervention

team pilot (652-00-1000-0150).....\$13,534,722

Provided, That any unencumbered balance in the mental health intervention team pilot account in excess of \$100 as of June 30, 2023, is hereby reappropriated for fiscal year 2024: *Provided further*, That expenditures shall be made from the mental health intervention team pilot to continue the mental health intervention team program: *And provided further*, That such program shall be a continuation of the mental health intervention team pilot program first established pursuant to section 1 of chapter 57 and section 3 of chapter 70 of the 2018 Session Laws of Kansas and continued and expanded through subsequent appropriation acts of the legislature: *And Provided further*, That the purposes of the mental health intervention team program are to: Provide greater access to behavioral health services for students enrolled in kindergarten or any of the grades one through 12 and establish a coherent structure between school districts and community mental health centers to optimize scarce behavioral health resources and workforce; identify students, communicate with families and link students and their families to the statewide behavioral health systems and resources within the network of community mental health centers; alleviate the shortage of staff with specialized degrees or training such as school counselors, psychologists and social workers and reduce the competition for such staff between school districts and other private and governmental service providers to provide broader-based and collaborative services to students, especially in rural districts that do not have enough students to justify a full-time staff position; provide and coordinate mental health services to students throughout the calendar year, not only during school hours over nine months of the school year; and reduce barriers that families experience to access mental health services and maintain consistency for a child to attend recurring sessions and provide coordination between the child's classroom schedule and the provision of such services: *And provided further*, That the program shall focus on the following students: Any student who has been adjudicated as a child in need of care and is in the custody of the secretary for children and families or has been referred for a families first program or family preservation program; and any other student who is in need of mental health support services: *And provided further*, That the state department of education shall oversee and implement the mental health intervention team program in accordance with the requirements of this subsection and the policies and procedures established by the department pursuant to such subsection: *And provided further*, That, in each school year, the board of education of a school district may apply to the department to establish or maintain a mental health intervention team program within such school district: *And provided further*, That the application shall be in such form and manner as the department requires and submitted at a time determined and specified by the department: *And provided further*, That each application submitted by a school district shall specify the community mental health center that the school intends to coordinate with to provide school-based services to students who need assistance during the applicable school year: *And provided further*, That, if a school district is approved to establish or maintain a mental health intervention team program, the school district shall enter into a memorandum of understanding with a partnering community mental health center: *And provided further*, That, if the school district chooses to partner with more than one community mental health center, the school district shall enter into a separate memorandum of understanding with each such community mental health center: *And provided further*, That the department may establish requirements for a memorandum of

understanding, including contractual provisions that are required to be included in each memorandum of understanding and that are optional and subject to agreement between the school district and the community mental health center: *And provided further*, That each memorandum of understanding shall be submitted to the department for final approval: *And provided further*, That, subject to appropriations therefor, a school district that has been approved by the department to establish or maintain a mental health intervention team program shall be eligible to receive a mental health intervention team program grant and a community mental health center pass-through grant: *And provided further*, That, except as otherwise provided in this subsection, the amount of a school district's mental health intervention team program grant shall be determined in each school year by calculating the total amount of the salary and fringe benefits paid by the school district to each school liaison, not to exceed \$50,000 for any such school liaison: *And provided further*, That the amount of a school district's community mental health center pass-through grant shall be an amount equal to 33% of the amount of the school district's mental health intervention team grant, and moneys provided to a school district for the community mental health center pass-through grant shall be paid to any community mental health center that partners with the school district: *And provided further*, That, if the amount of appropriations are insufficient to pay in full the amount of all grants that school districts are entitled to receive for the school year, the department shall prorate the amount appropriated among all districts: *And provided further*, That the department shall be responsible for the allocation and distribution of grants in accordance with appropriation acts: *And provided further*, That the department may make grant payments in installments and may provide for payments in advance or by way of reimbursement and may make any necessary adjustments for any overpayment to a school district: *And provided further*, That the department shall not award any grant to a school district unless such school district has entered into a memorandum of understanding with a partnering community mental health center in accordance with this subsection: *And provided further*, That the department may waive the requirement that a school district employ a school liaison and may instead authorize a community mental health center that partners with the school district to employ a school liaison: *And provided further*, That such waiver shall only be granted by the department in limited circumstances: *And provided further*, That a school district that is granted a waiver pursuant to this subsection shall continue to be eligible to receive the mental health intervention team program grant and the community mental health center pass-through grant authorized pursuant to this section: *And provided further*, That the amount of the mental health intervention team program grant shall be determined in the same manner as provided under this subsection as though the school liaison was employed by such school district: *And provided further*, That upon receipt of any moneys awarded pursuant to the mental health intervention team program grant to any such school district, the school district shall direct payment of such amount to the community mental health center that employs the school liaison: *And provided further*, That, on or before January 8, 2024, the department shall prepare and submit a report on the mental health intervention team program for the preceding school year to the house of representatives standing committees on appropriations, social services budget and K-12 education budget and the senate standing committees on ways and means, public health and welfare and education: *And provided further*, That such report shall provide a summary of the program, including, but not limited to, the school districts that applied

to participate or continued participating under the program, the participating community mental health centers, the grant amount each such school district received and the payments made by school districts from the mental health intervention team program fund of each school district: *And provided further*; That the staff required for the establishment and maintenance of a mental health intervention team program shall include a combination of one or more behavioral health liaisons employed by the school district and one or more case managers and clinical therapists employed by the partnering community mental health center: *And provided further*; That all staff working together under a school district's program shall be known as the behavioral health intervention team of the school district: *And provided further*; That the school district and the community mental health center shall cooperate and work together to identify needs specific to the students in the school district and the families of such students and shall develop an action plan to implement a school-based program that is tailored to meet such needs: *And provided further*; That a school district that participates in the program shall employ one or more school liaisons who will help students in need and coordinate services between the school district, the student, the student's family and the community mental health center: *And provided further*; That a school liaison shall have a bachelor's degree in any field of study. A school liaison's roles and responsibilities include, but are not limited to: Identifying appropriate student referrals for which the team shall engage; act as a liaison between the school district and the community mental health center and be the primary point of contact for communications between the school district and the community mental health center; assist with community mental health center staff understanding of the school district's system and procedures, including the school calendar, professional development, drills and crisis plan protocols; triage prospective student referrals and help decide how to prioritize interventions; help the community mental health center and other school personnel understand the roles and responsibilities of the behavioral health intervention team; facilitate communications and connections between families of identified students and the community mental health center's staff; coordinate a student's treatment schedule with building administrators and classroom teachers to optimize clinical therapist's productivity; troubleshoot problems that arise and work with the community mental health center to resolve such problems; track and compile outcomes to monitor the effectiveness of the program; maintain and update the mental health intervention team database as directed by the department; follow up with child welfare contacts if a student has moved schools to get the child's educational history; be an active part of the school intervention team and relay information back to community mental health center staff, including student observations, intervention feedback from teachers, communications with family and other relevant information; work with school administration to identify and provide confidential space for a community mental health center therapist; and assist in planning continuity of care through summer services: *And provided further*; That a community mental health center that partners with a school district shall employ one or more master's level clinical therapists who will collaborate with the school district to assist students in need and provide services to such students under the program: *And provided further*; That a clinical therapist's roles and responsibilities under the program include, but are not limited to: Assisting the school liaison with the identification of appropriate student referrals to the program; triaging student referrals with the school liaison to prioritize treatment interventions for

identified students; working with the school liaison to connect with families or child welfare contacts to obtain consent to commence treatment; conducting a clinical assessment of the identified student and make appropriate treatment recommendations; engaging with the student, family or child welfare contacts in clinical interventions as identified on the treatment plan and providing individual and family therapy; administering scales or tests to detect areas of concern with depression, anxiety, self-harm or other areas as identified; making referrals to other treatment modalities as appropriate; communicating educationally appropriate information to the school liaison, such as interventions and strategies for use by classroom and school staff; gathering outcome data to monitor the effectiveness of the program; coordinating with the case manager by the student's treatment plan to identify ways to support the student and family; providing therapy services as determined by a students' treatment plan; and maintaining the treatment plan and necessary treatment protocols required by the community mental health center: *And provided further*, That a community mental health center that partners with a school district shall employ one or more case managers who will collaborate with the school district to assist students in need and coordinate services under the program: *And provided further*, That a case manager's roles and responsibilities under the program include, but are not limited to: Working with the school liaison and clinical therapist to identify students and triage priorities for treatment; providing outreach to students, families and child welfare contacts to help engage in treatment; participating in the treatment planning process; communicating with the school liaison and other school district personnel about student needs, interventions and progress; helping maintain communication between all entities, including the family, student, school, clinical therapist, child welfare contacts and the community; maintaining the treatment plan and necessary treatment protocols required by the community mental health center; making referrals to appropriate community resources; helping reconnect students and families when they are not following through with the treatment process; helping families negotiate barriers to treatment; and engaging with the student in the classroom, the home or the community to help build skills wherever needed: *And provided further*, That, as used in this subsection, "community mental health center" means a center organized pursuant to article 40 of chapter 19 of the Kansas Statutes Annotated, and amendments thereto, or a mental health clinic organized pursuant to article 2 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

(b) 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 2024 as authorized by this or any other appropriation act of the 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys appropriated in fiscal year 2024 to authorize the children's cabinet to establish a nonprofit corporation organized under section 501(c)(3) of the internal revenue code of 1986: *Provided*, That the board of directors of the nonprofit corporation shall consist of the members of the children's cabinet, the executive director of the children's cabinet and other directors designated by the children's cabinet: *Provided further*, That the children's cabinet shall receive gifts, donations, grants and other moneys and engage in fundraising projects for the benefit of the Dolly Parton's imagination library book gifting program to develop, implement, promote and sustain reading by the children of Kansas.

Sec. 38.

STATE LIBRARY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Blind information access program.....\$30,000

Provided, That expenditures shall be made by the above agency from the blind information access program account to contract with an organization that delivers on-demand information access services to persons who are blind, visually impaired, deafblind, print disabled or who have another disability: *Provided further*, That such services shall provide access to digital content through audio, electronic text and braille reading technologies and other related services, including, but not limited to, Kansas specific publications, national publications, international publications, breaking news sources and localized emergency weather alerts: *And provided further*, That such on-demand information access services shall be provided using telecommunications services or internet services.

Sec. 39.

STATE LIBRARY

(a) Any unencumbered balance in the blind information access program account in excess of \$100 as of June 30, 2024, is hereby reappropriated for fiscal year 2025:

Provided, That expenditures shall be made by the above agency from the blind information access program account to contract with an organization that delivers on-demand information access services to persons who are blind, visually impaired, deafblind, print disabled or who have another disability: *Provided further*, That such services shall provide access to digital content through audio, electronic text and braille reading technologies and other related services, including, but not limited to, Kansas specific publications, national publications, international publications, breaking news sources and localized emergency weather alerts: *And provided further*, That such on-demand information access services shall be provided using telecommunications services or internet services.

Sec. 40.

STATE HISTORICAL SOCIETY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Quindaro ruins archaeological park project.....\$250,000

Provided, That expenditures shall be made by the above agency from the Quindaro ruins archaeological park project account to issue a request for proposals for a master plan for the Quindaro ruins archaeological park in Wyandotte county, Kansas.

Sec. 41.

FORT HAYS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Student success center.....\$6,000,000

Sec. 42.

KANSAS STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (including official hospitality) (367-00-1000-0003).....	\$252,800
Kansas state university polytechnic campus (including official hospitality) (367-00-1000-0150).....	\$1,250,000

Provided, That in addition to the other purposes for which expenditure may be made from this account for fiscal year 2024 as authorized by section 100(a) of 2023 House Bill No. 2184, this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made from this account for fiscal year 2024 to support the turbine transition program and increase the number of career-ready pilots positively impacting the current industry crisis.

Sec. 43.

PITTSBURG STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Global center for STEM.....	\$2,000,000
Center for emerging technologies.....	\$2,000,000

Sec. 44.

UNIVERSITY OF KANSAS

(a) During the fiscal years ending June 30, 2023, and June 30, 2024, notwithstanding the provisions of any statute to the contrary, no expenditures shall be made by the above agency from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal years 2023 and 2024 as authorized by chapter 81 or chapter 97 of the 2022 Session Laws of Kansas, section 109 or 160 of 2023 House Bill No. 2184, this or any other appropriation act of the 2023 regular session of the legislature, to demolish or raze Smith hall and move or place in storage any related artwork, including, but not limited to, the statue of Moses, on the Lawrence campus until the above agency has submitted a written revised and updated 2024 master plan for the Lawrence campus to the state board of regents: *Provided*, That such plan shall include the justification for such demolition or razing of Smith hall and the plan for the use of the land currently occupied by Smith hall: *Provided further*, That such plan shall be presented to the state board of regents at a public meeting where members of the public shall be allowed to present testimony: *And provided further*, That if such plan is approved by a majority of the members of the state board of regents in a public meeting, then the above agency may expend moneys during fiscal years 2023 and 2024 to demolish or raze Smith hall: *And provided further*, That during fiscal years 2023 and 2024, nothing in this subsection shall authorize the above agency to use any private moneys for the demolition or razing of Smith hall and the above agency is prohibited from using any private moneys for such purposes prior to the approval of the state board of regents as provided for in this subsection.

(b) If 2023 House Bill No. 2089, 2023 House Substitute for Senate Bill No. 113 or any other legislation that transfers moneys from the legislature employment security fund of the legislative coordinating council is passed by the legislature during the 2023 regular session and enacted into law, then on July 1, 2023, the amount of \$71,000,000 authorized by section 33(c) of 2023 House Bill No. 2184 to be transferred by the director of accounts and reports from the legislature employment security fund of the legislative coordinating council to the university of Kansas and Wichita state university

health collaboration fund of the university of Kansas is hereby decreased by 50% of the total amount transferred by any such legislation as certified by the director of the budget to the director accounts and reports: *Provided*, That upon receipt of such certification, on July 1, 2023, the director of accounts and reports shall transfer such certified amount, not to exceed \$15,000,000, from the state general fund to the university of Kansas and Wichita state university health collaboration fund of the university of Kansas: *Provided further*, That the director of the budget shall transmit a copy of each such certification to the director of legislative research.

Sec. 45.

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, 2024, the following:

Operating expenditures (including	
official hospitality) (683-00-1000-0503).....	\$27,000
OBGYN medical student loan.....	\$943,000
OBGYN medical residency bridging loan.....	\$30,000
Health science center KUMed and WSU.....	\$6,500,000

(b) During the fiscal year ending June 30, 2024, 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 of the above agency for fiscal year 2024 as authorized by section 112 of 2023 House Bill No. 2184, this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such moneys to review funding for the university of Kansas cancer center building, including, but not limited to, the need for additional state moneys to leverage private funding required for construction of such cancer center to advance and to submit a report on such agency's findings from such review to the legislature during the 2024 regular session of the legislature.

Sec. 46.

WICHITA STATE UNIVERSITY

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Health science center WSU.....	\$6,500,000
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(b) If 2023 House Bill No. 2089, 2023 House Substitute for Senate Bill No. 113 or any other legislation that transfers moneys from the legislature employment security fund of the legislative coordinating council is passed by the legislature during the 2023 regular session and enacted into law, then on July 1, 2023, the amount of \$71,000,000 authorized by section 33(d) of 2023 House Bill No. 2184 to be transferred by the director of accounts and reports from the legislature employment security fund of the legislative coordinating council to the Wichita state university and university of Kansas health collaboration fund of Wichita state university is hereby decreased by 50% of the total amount transferred by any such legislation as certified by the director of the budget to the director accounts and reports: *Provided*, That upon receipt of such certification, on July 1, 2023, the director of accounts and reports shall transfer such certified amount, not to exceed \$15,000,000, from the state general fund to the Wichita state university and university of Kansas health collaboration fund of Wichita state university: *Provided further*, That the director of the budget shall transmit a copy of each such certification to the director of legislative research.

Sec. 47.

STATE BOARD OF REGENTS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

NISS academic playbook.....	\$8,500,000
Washburn ensuring student pathways to success.....	\$600,000
Technical colleges operating grants.....	\$10,500,000
Hero's act scholarships.....	\$700,000
Independent colleges comprehensive grant program.....	\$5,000,000

Provided, That all expenditures from such account shall be made to provide that all moneys shall be distributed in the same proportionate amount as such moneys were distributed to each such independent college in fiscal year 2023 from the comprehensive grant program account (561-00-1000-4500): *Provided further*; That, as used in this subsection, "independent college" means a not-for-profit independent institution of higher education which is accredited by the north central association of colleges and secondary schools accrediting agency based on its requirements as of April 1, 1985, or by the higher learning commission of the north central association of colleges and schools based on its requirements as of January 1, 2006, is operated independently and not controlled or administered by the state or any agency or subdivision thereof, maintains open enrollment and the main campus or principal place of operation of which is located in Kansas.

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, 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 adult learner grant program fund.....	No limit
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(c) On July 1, 2023, of the amount of money appropriated for the university of Kansas, university of Kansas medical center, Kansas state university, Wichita state university, Emporia state university, Pittsburg state university, Fort Hays state university and Washburn university in such universities' student aid for financial need accounts for the fiscal year ending June 30, 2024, by 2023 House Bill No. 2184 from the state general fund, the aggregated sum of \$5,000,000 is hereby lapsed: *Provided*, That the above agency shall determine the specific amounts to be lapsed from each such university's student aid for financial need accounts in an aggregate amount not to exceed \$5,000,000.

(d) On the effective date of this act, the provisions of the proviso under section 115(a) of 2023 House Bill No. 2184 for the community college capital outlay aid account are hereby declared to be null and void and shall have no force and effect.

(e) During fiscal year 2024, all expenditures from the community college capital outlay aid account shall be distributed to any community college not eligible for career technical education capital outlay aid in K.S.A. 74-32,413(c), and amendments thereto, based upon the number of technical education full-time equivalent students at each community college in academic year 2022.

(f) On the effective date of this act, the provisions of the proviso under section 115(a) of 2023 House Bill No. 2184 for the two year college apprenticeship act account are hereby declared to be null and void and shall have no force and effect.

(g) During fiscal year 2024, all expenditures from the two year college

apprenticeship act account shall be distributed to the community colleges and technical colleges based on the number of full-time equivalent students enrolled at each such college during academic year 2022 to be used for the development of registered apprenticeships, business and industry outreach and development of programing to meet the emerging needs of Kansas businesses.

(h) On July 1, 2023, or as soon thereafter as moneys are available, the director of accounts and reports shall transfer \$1,000,000 from the state general fund to the Kansas adult learner grant program fund of the state board of regents.

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, 2025, the following:

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, 2024, is hereby reappropriated for fiscal year 2025: *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.

Sec. 49.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, the following:

Hutchinson correctional facility –
facilities operations (313-00-1000-0303).....\$227,377
Winfield correctional facility –
facilities operations (712-00-1000-0303).....\$57,895

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, 2024, the following:

Operating expenditures (521-00-1000-0603).....\$1,124,113

Sec. 51.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2023, for the capital improvement project or projects specified, the following:

Rehabilitation and
repair projects (034-00-1000-8000).....\$410,913

Sec. 52.

ADJUTANT GENERAL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, for the capital improvement project or projects specified, the following:

Rehabilitation and

repair projects (034-00-1000-8000).....\$1,208,100
Sec. 53.

STATE FIRE MARSHAL

(a) During the fiscal years ending June 30, 2023, and June 30, 2024, notwithstanding the provisions of any statute to the contrary, no expenditures shall be made by the above agency from moneys appropriated from any special revenue fund or funds for fiscal years 2023 and 2024 as authorized by section 116 of chapter 81 and section 40 of chapter 97 of the 2022 Session Laws of Kansas, sections 123 and 124 of 2023 House Bill No. 2184, this or any other appropriation act of the 2023 or 2024 regular session of the legislature, to regulate or impose any restrictions, including, but not limited to, fire suppression system, on agribusiness farm wineries: *Provided*, That, as used in this subsection, "agribusiness farm wineries" means a business that holds a farm winery license pursuant to K.S.A. 41-308a, and amendments thereto, is a registered agritourism operator pursuant to K.S.A. 32-1430 et seq., and amendments thereto, and engages in agritourism activities.

Sec. 54.

KANSAS HIGHWAY PATROL

(a) 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 2024, as authorized by this or other appropriation act of the 2023 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 2024 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 who has 10 years or more of service, 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. 55.

ATTORNEY GENERAL – KANSAS
BUREAU OF INVESTIGATION

(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:

Substance use disorder federal fund.....No limit

Sec. 56.

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, 2024, the following:

Operating expenditures (083-00-1000-0083).....\$592,515

Provided however, That, if 2023 Senate Substitute for House Bill No. 2010 is not passed by the legislature during the 2023 regular session and enacted into law, then on the effective date of this act, of the \$592,515 appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, by this section in the

operating expenditures account, \$182,180 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, 2024, 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:

Substance use disorder federal fund.....No limit
Sec. 57.

KANSAS SENTENCING COMMISSION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Substance abuse
treatment programs (626-00-1000-0600)\$1,800,000
Provided however; That, if 2023 Senate Substitute for House Bill No. 2010 is not passed by the legislature during the 2023 regular session and enacted into law, then on the effective date of this act, the \$1,800,000 appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, by this section in the substance abuse treatment account is hereby lapsed.

Sec. 58.

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, 2023, by section 131(a) of 2023 House Bill No. 2184 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 \$822,153 to \$844,161.

Sec. 59.

KANSAS COMMISSION ON PEACE OFFICERS'
STANDARDS AND TRAINING

(a) On July 1, 2023, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 131(a) of 2023 House Bill No. 2184 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 \$916,965 to \$938,973.

Sec. 60.

KANSAS DEPARTMENT OF AGRICULTURE

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

Operating expenditures (046-00-1000-0053).....\$1,955,405

(b) 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 years 2023 and 2024 as authorized by section 127 of chapter 81 and section 46 of chapter 97 of the 2022 Session Laws of Kansas, sections 133 and 134 of 2023 House Bill No. 2184, this or any other appropriation act of the 2023 or 2024 regular session of the legislature, expenditures shall be made by the above agency from such moneys appropriated in fiscal years 2023 and 2024 to study the issues surrounding the regulation of agribusiness farm wineries: *Provided*, That, as used in this subsection, "agribusiness farm wineries" means a business that holds a farm winery

license pursuant to K.S.A. 41-308a, and amendments thereto, is a registered agritourism operator pursuant to K.S.A. 32-1430 et seq., and amendments thereto, and engages in agritourism activities: *Provided further*, That on or before January 8, 2024, the above agency shall submit a report to the house of representatives committee on commerce, labor and economic development and the senate committee on commerce.

(c) On the effective date of this act, any unencumbered balance in the dairy industry expansion needs assessment account (046-00-1000-0060) of the state general fund of the above agency is hereby lapsed.

Sec. 61.

KANSAS WATER OFFICE

(a) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2024, for the state water plan project or projects specified, the following:

HB 2302 projects.....\$18,000,000

(b) There is appropriated for the above agency from the following special revenue fund or funds for the fiscal year ending June 30, 2024, all moneys now or hereafter lawfully credited to and available in such fund or funds, except that expenditures shall not exceed the following:

Water projects grant fund.....No limit

Water technical assistance fund.....No limit

(c) During the fiscal year ending June 30, 2024, the director of the Kansas water office, 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 transfer moneys from any account of the state water plan fund for fiscal year 2024 for the Kansas water office to any account of the state water plan fund for fiscal year 2024 for the Kansas department of wildlife and parks, the university of Kansas, the Kansas department of agriculture or the department of health and environment – division of environment: *Provided*, That the state finance council is hereby authorized to approve such transfers: *Provided further*, 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 account: *And provided further*, That, when the director of the Kansas water office provides certification to the director of accounts and reports under this subsection, the director shall transmit a copy of each such certification to the director of the budget and the director of legislative research: *And provided further*, That all moneys transferred to such accounts of the state water plan fund for such state agencies are appropriated for the fiscal year ending June 30, 2024, and shall be expended by such state agency for the state water plan project or projects specified by such accounts: *And provided further*, That the total of such transfers for fiscal year 2024 shall not exceed \$18,000,000.

Sec. 62.

KANSAS DEPARTMENT OF WILDLIFE AND PARKS

(a) On July 1, 2023, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 138(c) of 2023 House Bill No. 2184 on the boating fee fund (710-00-2245-2813) of the Kansas department of wildlife and parks is hereby increased from \$1,103,187 to \$1,134,548.

(b) On July 1, 2023, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 138(c) of 2023 House Bill No. 2184 on the wildlife fee fund (710-00-2300-2890) of the Kansas department of wildlife and parks is hereby increased from \$37,021,157 to \$38,664,650.

(c) On July 1, 2023, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 138(b) of 2023 House Bill No. 2184 on the state parks operating expenditures account (710-00-1900-1920) of the state economic development initiatives fund of the Kansas department of wildlife and parks is hereby increased from \$1,787,952 to \$1,857,177.

(d) On July 1, 2023, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 138(c) of 2023 House Bill No. 2184 on the parks fee fund (710-00-2122-2053) of the Kansas department of wildlife and parks is hereby increased from \$12,857,301 to \$13,454,031.

(e) On July 1, 2023, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 138(c) of 2023 House Bill No. 2184 on the department access roads fund (710-00-2178-2761) of the Kansas department of wildlife and parks is hereby increased from \$1,746,736 to \$1,815,961.

Sec. 63.

DEPARTMENT OF TRANSPORTATION

(a) On July 1, 2023, the expenditure limitation established for the fiscal year ending June 30, 2024, by section 140(b) of 2023 House Bill No. 2184 on the agency operations account (276-00-4100-0403) of the state highway fund (276-00-4100-4100) of the department of transportation is hereby increased from \$319,084,889 to \$319,213,529.

Sec. 64. (a) On the effective date of this act, the provisions of section 144(a) and (b) of 2023 House Bill No. 2184 are hereby declared to be null and void and shall have no force and effect.

Sec. 65.

STATE FINANCE COUNCIL

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2024, the following:

State employee pay increase.....\$46,000,000

Provided, That all moneys in the state employee pay increase account shall be used for the purpose of paying the proportionate share of the cost to the state general fund of the salary increase, including associated employer contributions, during fiscal year 2024.

(b) There is appropriated for the above agency from the state economic development initiatives fund for the fiscal year ending June 30, 2024, the following:

State employee pay increase.....\$578,211

Provided, That all moneys in the state employee pay increase account shall be used for the purpose of paying the proportionate share of the cost to the state economic development initiatives fund of the salary increase, including associated employer contributions, during fiscal year 2024.

(c) There is appropriated for the above agency from the state water plan fund for the fiscal year ending June 30, 2024, the following:

State employee pay increase.....\$75,459

Provided, That all moneys in the state employee pay increase account shall be used for the purpose of paying the proportionate share of the cost to the state water plan fund

of the salary increase, including associated employer contributions, during fiscal year 2024.

(d) There is appropriated for the above agency from the children's initiatives fund for the fiscal year ending June 30, 2024, the following:

State employee pay increase.....\$7,739

Provided, That all moneys in the state employee pay increase account shall be used for the purpose of paying the proportionate share of the cost to the children's initiatives fund of the salary increase, including associated employer contributions, during fiscal year 2024.

(e) There is appropriated for the above agency from the Kansas endowment for youth fund for the fiscal year ending June 30, 2024, the following:

State employee pay increase.....\$7,999

Provided, That all moneys in the state employee pay increase account shall be used for the purpose of paying the proportionate share of the cost to the Kansas endowment for youth fund of the salary increase, including associated employer contributions, during fiscal year 2024.

(f) Upon recommendation of the director of the budget, 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, is hereby authorized to approve increases in expenditure limitations on special revenue funds and accounts and increase the transfers between special revenue funds as necessary to pay the salary increases under this section for the fiscal year ending June 30, 2024. The director of accounts and reports is hereby authorized and directed to increase expenditure limitations on such special revenue funds and accounts and increase the transfers between special revenue funds in accordance with such approval for the purpose of paying from such funds or accounts the proportionate share of the cost to such funds or accounts, including associated employer contributions, of the salary increases and other amounts specified for the fiscal year ending June 30, 2024.

(g) (1) Based on the department of administration's 2022 market survey summary, effective with the first payroll period chargeable to the fiscal year ending June 30, 2024, the following executive branch benefits-eligible employees shall receive a salary increase, as close as possible based on the closest available step for classified employees, as follows:

(A) If an employee's class/job title is under market pay by 15% or greater, such employee's salary shall be increased by the percentage that equals the difference between such under market pay percentage and 10% under market.

(B) If an employee's class/job title is under market pay by less than 15% and not greater than 10% over market pay, such employee's salary shall be increased by 5%.

(C) If an employee's class/job title is over market pay by greater than 10%, such employee's salary shall be increased by 2.5%.

(2) Effective with the first payroll period chargeable to the fiscal year ending June 30, 2024, an executive branch benefits-eligible employee whose class/job title is not listed in such market survey summary shall be eligible for a salary increase of two steps for employees in the classified service, including associated employer contributions, and each pay grade of the classified pay matrix shall be extended upward by two steps.

(3) Effective with the first payroll period chargeable to the fiscal year ending June 30, 2024, an executive branch benefits-eligible employee whose class/job title is not

listed in such market survey summary and is in the unclassified service shall receive a salary increase of 5.0%.

(4) Effective with the first payroll period chargeable to the fiscal year ending June 30, 2024, all legislative branch state agencies shall receive a sum equivalent to the total of 5.0%, rounded to the nearest penny, of the salaries of all benefits-eligible unclassified employees in such agency, to be distributed as a merit pool.

(5) Effective with the first payroll period chargeable to the fiscal year ending June 30, 2024, the judicial branch shall receive a sum equivalent to the total of 5.0%, rounded to the nearest penny, of the salaries of all benefits-eligible non-judge judicial branch employees in such agency, to be distributed as a merit pool.

(6) Effective with the first payroll period chargeable to the fiscal year ending June 30, 2024, the state board of regents and the universities shall receive a sum equivalent to the total of 2.5%, rounded to the nearest penny, of the salaries of all benefits-eligible employees in such agency, to be distributed as a merit pool.

(7) In addition to any market salary adjustment pursuant to subsection (g)(1), corrections officers and parole officers of the department of corrections and employees at Osawatomic state hospital, Larned state hospital, Larned mental health correctional facility, Parsons state hospital and training center, the Kansas neurological institute, Kansas soldiers' home and the Kansas veteran's home shall receive a salary increase of 5.0%.

(8) In addition to any formal, written career progression plan implemented by executive directive, employees assigned to a trooper or officer classification, including the capitol police, of the Kansas highway patrol and Kansas bureau of investigation commissioned officers and forensic scientists shall receive a salary increase of 2.5%.

(h) (1) Notwithstanding the provisions of K.S.A. 46-137a and 46-137b, and amendments thereto, or any other statute, the provisions of subsection (g) shall not apply to the compensation or bi-weekly allowance paid to each member of the legislature.

(2) Notwithstanding the provisions of K.S.A. 75-3111a, and amendments thereto, or any other statute, the provisions of subsection (g) shall not apply to state officers elected on a statewide basis.

(3) Notwithstanding the provisions of K.S.A. 75-3120l, and amendments thereto, or any other statute, the provisions of subsection (g) shall not apply to justices of the supreme court, judges of the court of appeals, district court judges or district magistrate judges.

(4) The provisions of subsection (g) shall not apply to:

(A) Teachers and licensed personnel and employees at the Kansas state school for the deaf or the Kansas state school for the blind.

(B) Any other employees on a formal, written career progression plan implemented by executive directive.

Sec. 66.

DEPARTMENT OF ADMINISTRATION

(a) In addition to the other purposes for which expenditures may be made by the department of administration from moneys appropriated from the state general fund or any special revenue fund or funds for fiscal year 2024 as authorized by section 63 of 2023 House Bill No. 2184, this or any other appropriation act of the 2023 regular session of the legislature, expenditures shall be made by the above agency from such

moneys appropriated in fiscal year 2024 to review and analyze the job market at the different locations of state agencies and state institutions across the state.

Sec. 67. On and after July 1, 2023, K.S.A. 2022 Supp. 75-2263, as amended by section 178 of 2023 House Bill No. 2184, 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 2023, 2024 and 2025, 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. 68. K.S.A. 2022 Supp. 75-6707, as amended by section 179 of 2023 House

Bill No. 2184, is hereby amended to read as follows: 75-6707. (a) For the fiscal years ending June 30, 2023, June 30, 2024, and June 30, 2025, 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) (1) Except as provided in paragraph (2), 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, 2023, June 30, 2024, and June 30, 2025, to the budget stabilization fund established by K.S.A. 75-6706, and amendments thereto.

(2) During the fiscal years ending June 30, 2023, June 30, 2024, and June 30, 2025, if the balance of the budget stabilization fund is ~~15%~~ 20% or greater of the amount of actual tax receipt revenues to the state general fund at the end of each such fiscal year, no transfers from the state general fund to the budget stabilization fund shall be made pursuant to this subsection.

(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. 69. K.S.A. 2022 Supp. 75-6707, as amended by section 179 of 2023 House Bill No. 2184, is hereby repealed.

Sec. 70. On and after July 1, 2023, K.S.A. 2022 Supp. 75-2263, as amended by section 178 of 2023 House Bill No. 2184, is hereby repealed.

Sec. 71. *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. 72. *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. 73. 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.";

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 and 3 and inserting "making and concerning appropriations for the fiscal years ending June 30, 2023, June 30, 2024, June 30, 2025, June 30, 2026, June 30, 2027, and June

30, 2028, 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. 2022 Supp. 75-2263, as amended by section 178 of 2023 House Bill No. 2184, and 75-6707, as amended by section 179 of 2023 House Bill No. 2184, and repealing the existing sections.";

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

TROY WAYMASTER
KYLE HOFFMAN
HENRY HELGERSON

Conferees on part of House

RICK BILLINGER
J R CLAEYS
PAT PETTEY

Conferees on part of Senate

Senator Billinger moved the Senate adopt the Conference Committee Report on **SB 25**.

On roll call, the vote was: Yeas 29; Nays 10; Present and Passing 1; Absent or Not Voting 0.

Yeas: Alley, Billinger, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Faust-Goudeau, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, Petersen, Pettey, Pittman, Reddi, Ryckman, Shallenburger, Sykes, Thompson, Ware, Warren, Wilborn.

Nays: Baumgardner, Blasi, Erickson, O'Shea, Olson, Peck, Pyle, Steffen, Straub, Tyson.

Present and Passing: Francisco.

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 106** 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 14 through 34;

By striking all on page 2;

On page 3, by striking all in lines 1 through 13; following line 13, by inserting:

"Section 1. On and after January 1, 2024, K.S.A. 8-1103, as amended by section 1 of 2023 House Bill No. 2042, is hereby amended to read as follows: 8-1103. (a) (1) Whenever any person providing wrecker or towing service, as defined by K.S.A. 66-1329, and amendments thereto, while lawfully in possession of a vehicle, at the direction of a law enforcement officer, the owner or, if a city ordinance or county resolution authorizes the towing of vehicles by a wrecker or towing service, a self-service storage facility operator as provided by K.S.A. 58-817, and amendments thereto, or as otherwise 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.

(5) A person providing wrecker or towing service shall provide a certification of compliance to a purchaser pursuant to section 1 of 2023 House Bill No. 2147, and amendments thereto, upon the sale and transfer of a vehicle authorized by this section.

(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. 2. K.S.A. 2022 Supp. 21-6614 is hereby amended to read as follows: 21-6614.

(a) (1) Except as provided in subsections (b), (c), (d), (e) and (f), any person convicted in this state of a traffic infraction, cigarette or tobacco infraction, misdemeanor or a class D or E felony, or for crimes committed on or after July 1, 1993, any nongrid felony or felony ranked in severity levels 6 through 10 of the nondrug grid, or for crimes committed on or after July 1, 1993, but prior to July 1, 2012, any felony ranked in severity level 4 of the drug grid, or for crimes committed on or after July 1, 2012, any felony ranked in severity level 5 of the drug grid may petition the convicting court for the expungement of such conviction or related arrest records if three or more years have elapsed since the person: (A) Satisfied the sentence imposed; or (B) was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence.

(2) Except as provided in subsections (b), (c), (d), (e) and (f), any person who has fulfilled the terms of a diversion agreement may petition the district court for the expungement of such diversion agreement and related arrest records if three or more years have elapsed since the terms of the diversion agreement were fulfilled.

(3) Notwithstanding the provisions of subsection (a)(1), and except as provided in subsections (b), (c), (d), (e) and (f), any person who has completed the requirements of a specialty court program established pursuant to K.S.A. 2022 Supp. 20-173, and amendments thereto, may petition the district court for the expungement of the conviction and related arrest records. The court may waive all or part of the docket fee imposed for filing a petition pursuant to this subsection.

(b) Any person convicted of prostitution, as defined in K.S.A. 21-3512, prior to its repeal, convicted of a violation of K.S.A. 2022 Supp. 21-6419, and amendments thereto, or who entered into a diversion agreement in lieu of further criminal proceedings for such violation, may petition the convicting court for the expungement of such conviction or diversion agreement and related arrest records if:

(1) One or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence; and

(2) such person can prove they were acting under coercion caused by the act of another. For purposes of this subsection, "coercion" means: Threats of harm or physical restraint against any person; a scheme, plan or pattern intended to cause a person to believe that failure to perform an act would result in bodily harm or physical restraint against any person; or the abuse or threatened abuse of the legal process.

(c) Except as provided in subsections (e) and (f), no person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence, if such person was convicted of a class A, B or C felony, or for crimes committed on or after July 1, 1993, if convicted of an off-grid felony or any felony ranked in severity levels 1 through 5 of the nondrug grid, or for crimes committed on or after July 1, 1993, but prior to July 1, 2012, any felony ranked in severity levels 1 through 3 of the drug grid, or for crimes committed on or

after July 1, 2012, any felony ranked in severity levels 1 through 4 of the drug grid, or:

(1) Vehicular homicide, as defined in K.S.A. 21-3405, prior to its repeal, or K.S.A. 2022 Supp. 21-5406, and amendments thereto, or as prohibited by any law of another state that is in substantial conformity with that statute;

(2) driving while the privilege to operate a motor vehicle on the public highways of this state has been canceled, suspended or revoked, as prohibited by K.S.A. 8-262, and amendments thereto, or as prohibited by any law of another state that is in substantial conformity with that statute;

(3) perjury resulting from a violation of K.S.A. 8-261a, and amendments thereto, or resulting from the violation of a law of another state that is in substantial conformity with that statute;

(4) violating the provisions of K.S.A. 8-142 *Fifth*, and amendments thereto, relating to fraudulent applications or violating the provisions of a law of another state that is in substantial conformity with that statute;

(5) any crime punishable as a felony wherein a motor vehicle was used in the perpetration of such crime;

(6) failing to stop at the scene of an accident and perform the duties required by K.S.A. 8-1603, prior to its repeal, or K.S.A. 8-1602 or 8-1604, and amendments thereto, or required by a law of another state that is in substantial conformity with those statutes;

(7) violating the provisions of K.S.A. 40-3104, and amendments thereto, relating to motor vehicle liability insurance coverage; or

(8) a violation of K.S.A. 21-3405b, prior to its repeal.

(d) (1) No person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence, if such person was convicted of a first violation of K.S.A. 8-1567, and amendments thereto, including any diversion for such violation.

(2) No person may petition for expungement until 10 or more years have elapsed since the person satisfied the sentence imposed or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence, if such person was convicted of a second or subsequent violation of K.S.A. 8-1567, and amendments thereto.

(3) Except as provided further, the provisions of this subsection shall apply to all violations committed on or after July 1, 2006. The provisions of subsection (d)(2) shall not apply to violations committed on or after July 1, 2014, but prior to July 1, 2015.

(e) There shall be no expungement of convictions for the following offenses or of convictions for an attempt to commit any of the following offenses:

(1) Rape, as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2022 Supp. 21-5503, and amendments thereto;

(2) indecent liberties with a child or aggravated indecent liberties with a child, as defined in K.S.A. 21-3503 or 21-3504, prior to their repeal, or K.S.A. 2022 Supp. 21-5506, and amendments thereto;

(3) criminal sodomy, as defined in K.S.A. 21-3505(a)(2) or (a)(3), prior to its repeal, or K.S.A. 2022 Supp. 21-5504(a)(3) or (a)(4), and amendments thereto;

(4) aggravated criminal sodomy, as defined in K.S.A. 21-3506, prior to its repeal, or K.S.A. 2022 Supp. 21-5504, and amendments thereto;

(5) indecent solicitation of a child or aggravated indecent solicitation of a child, as defined in K.S.A. 21-3510 or 21-3511, prior to their repeal, or K.S.A. 2022 Supp. 21-5508, and amendments thereto;

(6) sexual exploitation of a child, as defined in K.S.A. 21-3516, prior to its repeal, or K.S.A. 2022 Supp. 21-5510, and amendments thereto;

(7) internet trading in child pornography or aggravated internet trading in child pornography, as defined in K.S.A. 2022 Supp. 21-5514, and amendments thereto;

(8) aggravated incest, as defined in K.S.A. 21-3603, prior to its repeal, or K.S.A. 2022 Supp. 21-5604, and amendments thereto;

(9) endangering a child or aggravated endangering a child, as defined in K.S.A. 21-3608 or 21-3608a, prior to their repeal, or K.S.A. 2022 Supp. 21-5601, and amendments thereto;

(10) abuse of a child, as defined in K.S.A. 21-3609, prior to its repeal, or K.S.A. 2022 Supp. 21-5602, and amendments thereto;

(11) capital murder, as defined in K.S.A. 21-3439, prior to its repeal, or K.S.A. 2022 Supp. 21-5401, and amendments thereto;

(12) murder in the first degree, as defined in K.S.A. 21-3401, prior to its repeal, or K.S.A. 2022 Supp. 21-5402, and amendments thereto;

(13) murder in the second degree, as defined in K.S.A. 21-3402, prior to its repeal, or K.S.A. 2022 Supp. 21-5403, and amendments thereto;

(14) voluntary manslaughter, as defined in K.S.A. 21-3403, prior to its repeal, or K.S.A. 2022 Supp. 21-5404, and amendments thereto;

(15) involuntary manslaughter, as defined in K.S.A. 21-3404, prior to its repeal, or K.S.A. 2022 Supp. 21-5405, and amendments thereto;

(16) sexual battery, as defined in K.S.A. 21-3517, prior to its repeal, or K.S.A. 2022 Supp. 21-5505, and amendments thereto, when the victim was less than 18 years of age at the time the crime was committed;

(17) aggravated sexual battery, as defined in K.S.A. 21-3518, prior to its repeal, or K.S.A. 2022 Supp. 21-5505, and amendments thereto;

(18) a violation of K.S.A. 8-2,144, and amendments thereto, including any diversion for such violation; or

(19) any conviction for any offense in effect at any time prior to July 1, 2011, that is comparable to any offense as provided in this subsection.

(f) Except as provided in K.S.A. 22-4908, and amendments thereto, for any offender who is required to register as provided in the Kansas offender registration act, K.S.A. 22-4901 et seq., and amendments thereto, there shall be no expungement of any conviction or any part of the offender's criminal record while the offender is required to register as provided in the Kansas offender registration act.

(g) (1) When a petition for expungement is filed, the court shall set a date for a hearing of such petition and shall cause notice of such hearing to be given to the prosecutor and the arresting law enforcement agency. The petition shall state the:

(A) Defendant's full name;

(B) full name of the defendant at the time of arrest, conviction or diversion, if different than the defendant's current name;

(C) defendant's sex, race and date of birth;

(D) crime for which the defendant was arrested, convicted or diverted;

(E) date of the defendant's arrest, conviction or diversion; and

(F) identity of the convicting court, arresting law enforcement authority or diverting authority.

(2) Except as otherwise provided by law, a petition for expungement shall be accompanied by a docket fee in the amount of \$176. On and after July 1, 2019, through June 30, 2025, the supreme court may impose a charge, not to exceed \$19 per case, to fund the costs of non-judicial personnel. The charge established in this section shall be the only fee collected or moneys in the nature of a fee collected for the case. Such charge shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee.

(3) All petitions for expungement shall be docketed in the original criminal action. Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner and shall have access to any reports or records relating to the petitioner that are on file with the secretary of corrections or the prisoner review board.

(h) At the hearing on the petition, the court shall order the petitioner's arrest record, conviction or diversion expunged if the court finds that:

(1) (A) The petitioner has not been convicted of a felony in the past two years and no proceeding involving any such crime is presently pending or being instituted against the petitioner if the petition is filed under subsection (a)(1) or (a)(2); or

(B) no proceeding involving a felony is presently pending or being instituted against the petitioner if the petition is filed under subsection (a)(3);

(2) the circumstances and behavior of the petitioner warrant the expungement;

(3) the expungement is consistent with the public welfare; and

(4) with respect to petitions seeking expungement of a felony conviction, possession of a firearm by the petitioner is not likely to pose a threat to the safety of the public.

(i) When the court has ordered an arrest record, conviction or diversion expunged, the order of expungement shall state the information required to be contained in the petition. The clerk of the court shall send a certified copy of the order of expungement to the Kansas bureau of investigation that shall notify the federal bureau of investigation, the secretary of corrections and any other criminal justice agency that may have a record of the arrest, conviction or diversion. If the case was appealed from municipal court, the clerk of the district court shall send a certified copy of the order of expungement to the municipal court. The municipal court shall order the case expunged once the certified copy of the order of expungement is received. After the order of expungement is entered, the petitioner shall be treated as not having been arrested, convicted or diverted of the crime, except that:

(1) Upon conviction for any subsequent crime, the conviction that was expunged may be considered as a prior conviction in determining the sentence to be imposed;

(2) the petitioner shall disclose that the arrest, conviction or diversion occurred if asked about previous arrests, convictions or diversions:

(A) In any application for licensure as a private detective, private detective agency, certification as a firearms trainer pursuant to K.S.A. 75-7b21, and amendments thereto, or employment as a detective with a private detective agency, as defined by K.S.A. 75-7b01, and amendments thereto; as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01, and amendments thereto; or with an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the Kansas department for aging and

disability services;

(B) in any application for admission, or for an order of reinstatement, to the practice of law in this state;

(C) to aid in determining the petitioner's qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(D) to aid in determining the petitioner's qualifications for executive director of the Kansas racing and gaming commission, for employment with the commission or for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission, or to aid in determining qualifications for licensure or renewal of licensure by the commission;

(E) to aid in determining the petitioner's qualifications for the following under the Kansas expanded lottery act: (i) Lottery gaming facility manager or prospective manager, racetrack gaming facility manager or prospective manager, licensee or certificate holder; or (ii) an officer, director, employee, owner, agent or contractor thereof;

(F) upon application for a commercial driver's license under K.S.A. 8-2,125 through 8-2,142, and amendments thereto;

(G) to aid in determining the petitioner's qualifications to be an employee of the state gaming agency;

(H) to aid in determining the petitioner's qualifications to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact;

(I) in any application for registration as a broker-dealer, agent, investment adviser or investment adviser representative all as defined in K.S.A. 17-12a102, and amendments thereto;

(J) in any application for employment as a law enforcement officer as defined in K.S.A. 22-2202 or 74-5602, and amendments thereto; or

(K) to aid in determining the petitioner's qualifications for a license to act as a bail enforcement agent pursuant to K.S.A. 75-7e01 through 75-7e09, and amendments thereto, and K.S.A. 2022 Supp. 50-6,141, and amendments thereto;

(3) the court, in the order of expungement, may specify other circumstances under which the conviction is to be disclosed;

(4) the conviction may be disclosed in a subsequent prosecution for an offense that requires as an element of such offense a prior conviction of the type expunged; and

(5) upon commitment to the custody of the secretary of corrections, any previously expunged record in the possession of the secretary of corrections may be reinstated and the expungement disregarded, and the record continued for the purpose of the new commitment.

(j) Whenever a person is convicted of a crime, pleads guilty and pays a fine for a crime, is placed on parole, postrelease supervision or probation, is assigned to a community correctional services program, is granted a suspended sentence or is released on conditional release, the person shall be informed of the ability to expunge the arrest records or conviction. Whenever a person enters into a diversion agreement, the person shall be informed of the ability to expunge the diversion.

(k) (1) Subject to the disclosures required pursuant to subsection (i), in any application for employment, license or other civil right or privilege, or any appearance

as a witness, a person whose arrest records, conviction or diversion of a crime has been expunged under this statute may state that such person has never been arrested, convicted or diverted of such crime.

(2) A person whose arrest record, conviction or diversion of a crime that resulted in such person being prohibited by state or federal law from possessing a firearm has been expunged under this statute shall be deemed to have had such person's right to keep and bear arms fully restored. This restoration of rights shall include, but not be limited to, the right to use, transport, receive, purchase, transfer and possess firearms. The provisions of this paragraph shall apply to all orders of expungement, including any orders issued prior to July 1, 2021.

(1) Whenever the record of any arrest, conviction or diversion has been expunged under the provisions of this section or under the provisions of any other existing or former statute, the custodian of the records of arrest, conviction, diversion and incarceration relating to that crime shall not disclose the existence of such records, except when requested by:

- (1) The person whose record was expunged;
- (2) a private detective agency or a private patrol operator, and the request is accompanied by a statement that the request is being made in conjunction with an application for employment with such agency or operator by the person whose record has been expunged;
- (3) a court, upon a showing of a subsequent conviction of the person whose record has been expunged;
- (4) the secretary for aging and disability services, or a designee of the secretary, for the purpose of obtaining information relating to employment in an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the Kansas department for aging and disability services of any person whose record has been expunged;
- (5) a person entitled to such information pursuant to the terms of the expungement order;
- (6) a prosecutor, and such request is accompanied by a statement that the request is being made in conjunction with a prosecution of an offense that requires a prior conviction as one of the elements of such offense;
- (7) the supreme court, the clerk or disciplinary administrator thereof, the state board for admission of attorneys or the state board for discipline of attorneys, and the request is accompanied by a statement that the request is being made in conjunction with an application for admission, or for an order of reinstatement, to the practice of law in this state by the person whose record has been expunged;
- (8) the Kansas lottery, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;
- (9) the governor or the Kansas racing and gaming commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for executive director of the commission, for employment with the commission, for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission or for licensure, renewal of licensure or continued licensure by the commission;
- (10) the Kansas racing and gaming commission, or a designee of the commission,

and the request is accompanied by a statement that the request is being made to aid in determining qualifications of the following under the Kansas expanded lottery act: (A) Lottery gaming facility managers and prospective managers, racetrack gaming facility managers and prospective managers, licensees and certificate holders; and (B) their officers, directors, employees, owners, agents and contractors;

(11) the Kansas sentencing commission;

(12) the state gaming agency, and the request is accompanied by a statement that the request is being made to aid in determining qualifications: (A) To be an employee of the state gaming agency; or (B) to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-gaming compact;

(13) the Kansas securities commissioner or a designee of the commissioner, and the request is accompanied by a statement that the request is being made in conjunction with an application for registration as a broker-dealer, agent, investment adviser or investment adviser representative by such agency and the application was submitted by the person whose record has been expunged;

(14) the Kansas commission on peace officers' standards and training and the request is accompanied by a statement that the request is being made to aid in determining certification eligibility as a law enforcement officer pursuant to K.S.A. 74-5601 et seq., and amendments thereto;

(15) a law enforcement agency and the request is accompanied by a statement that the request is being made to aid in determining eligibility for employment as a law enforcement officer as defined by K.S.A. 22-2202, and amendments thereto;

(16) (A) the attorney general and the request is accompanied by a statement that the request is being made to aid in determining qualifications for a license to act as a bail enforcement agent pursuant to K.S.A. 75-7e01 through 75-7e09, and amendments thereto, and K.S.A. 2022 Supp. 50-6,141, and amendments thereto; or

(B) the attorney general for any other purpose authorized by law, except that an expungement record shall not be the basis for denial of a license to carry a concealed handgun under the personal and family protection act; or

(17) the Kansas bureau of investigation, for the purpose of completing a person's criminal history record information within the central repository, in accordance with K.S.A. 22-4701 et seq., and amendments thereto.

(m) (1) The provisions of subsection (1)(17) shall apply to records created prior to, on and after July 1, 2011.

(2) Upon the issuance of an order of expungement that resulted in the restoration of a person's right to keep and bear arms, the Kansas bureau of investigation shall report to the federal bureau of investigation that such expunged record be withdrawn from the national instant criminal background check system. The Kansas bureau of investigation shall include such order of expungement in the person's criminal history record for purposes of documenting the restoration of such person's right to keep and bear arms.

Sec. 3. K.S.A. 25-1122, as amended by section 1 of 2023 House Bill No. 2053, is hereby amended to read as follows: 25-1122. (a) Any registered voter may file with the county election officer where ~~the such~~ person is a resident, or where ~~the such~~ person is authorized by law to vote as a former precinct resident, an application for an advance voting ballot. The signed application shall be transmitted only to the county election officer by personal delivery, mail, facsimile or as otherwise provided by law.

(b) If the registered voter is applying for an advance voting ballot to be transmitted

in person, the voter shall provide identification pursuant to K.S.A. 25-2908, and amendments thereto.

(c) If the registered voter is applying for an advance voting ballot to be transmitted by mail, the voter shall provide with the application for an advance voting ballot the voter's current and valid Kansas driver's license number, nondriver's identification card number or a photocopy of any other identification provided by K.S.A. 25-2908, and amendments thereto.

(d) A voter may vote a provisional ballot according to K.S.A. 25-409, and amendments thereto, if:

(1) The voter is unable or refuses to provide current and valid identification; or

(2) the name and address of the voter provided on the application for an advance voting ballot do not match the voter's name and address on the registration book. The voter shall provide a valid form of identification as defined in K.S.A. 25-2908, and amendments thereto, to the county election officer in person or provide a copy by mail or electronic means before the meeting of the county board of canvassers. At the meeting of the county board of canvassers the county election officer shall present copies of identification received from provisional voters and the corresponding provisional ballots. If the county board of canvassers determines that a voter's identification is valid and the provisional ballot was properly cast, the ballot shall be counted.

(e) No county election officer shall provide an advance voting ballot to a person who is requesting an advance voting ballot to be transmitted by mail unless:

(1) The county election official verifies that the signature of the person matches that on file in the county voter registration records, except that verification of the voter's signature shall not be required if a voter has a disability preventing the voter from signing. Signature verification may occur by electronic device or by human inspection. In the event that the signature of a person who is requesting an advance voting ballot does not match that on file, the county election officer shall attempt to contact the person and shall offer the person another opportunity to provide the person's signature for the purposes of verifying the person's identity. If the county election officer is unable to reach the person, the county election officer may transmit a provisional ballot, however, such provisional ballot may not be counted unless a signature is included therewith that can be verified; and

(2) the person provides such person's full Kansas driver's license number, Kansas nondriver's identification card number issued by the division of vehicles, or submits such person's application for an advance voting ballot and a copy of identification provided by K.S.A. 25-2908, and amendments thereto, to the county election officer for verification. If a person applies for an advance voting ballot to be transmitted by mail but fails to provide identification pursuant to this subsection or the identification of the person cannot be verified by the county election officer, the county election officer shall provide information to the person regarding the voter rights provisions of subsection (d) and shall provide the person an opportunity to provide identification pursuant to this subsection. For the purposes of this act, Kansas state offices and offices of any subdivision of the state will allow any person seeking to vote by an advance voting ballot the use of a photocopying device to make one photocopy of an identification document at no cost.

(f) (1) Applications for advance voting ballots to be transmitted to the voter by mail

shall be filed only at the following times:

(A) For the primary election occurring on the first Tuesday in August in both even-numbered and odd-numbered years, between April 1 of such year and the Tuesday of the week preceding such primary election;

(B) for the general election occurring on the Tuesday following the first Monday in November in both even-numbered and odd-numbered years, between 90 days prior to such election and the Tuesday of the week preceding such general election;

(C) for the presidential preference primary election held pursuant to K.S.A. 25-4501a, and amendments thereto, between January 1 of the year in which such election is held and 30 days prior to the day of such election;

(D) for question submitted elections occurring on the date of a primary or general election, the same as is provided for ballots for election of officers at such election;

(E) for question submitted elections not occurring on the date of a primary or general election, between the time of the first published notice thereof and the Tuesday of the week preceding such question submitted election, except that if the question submitted election is held on a day other than a Tuesday, the final date for mailing of advance voting ballots shall be one week before such election; and

(F) for any special election of officers, at such time as is specified by the secretary of state.

(2) The county election officer of any county may receive applications prior to the time specified in this subsection and hold such applications until the beginning of the prescribed application period. Such applications shall be treated as filed on that date.

(g) (1) Unless an earlier date is designated by the county election office, applications for advance voting ballots transmitted to the voter in person ~~in the office of the county election officer~~ shall be filed on the Tuesday next preceding the election and on each subsequent business day until no later than 12 noon on the day preceding such election. If the county election officer so provides, applications for advance voting ballots transmitted to the voter in person in the office of the county election officer also may be filed on the Saturday preceding the election. Upon receipt of any such properly executed application, the county election officer shall deliver to the voter such ballots and instructions as are provided for in this act.

(2) An application for an advance voting ballot filed by a voter who has a temporary illness or disability or who is not proficient in reading the English language or by a person rendering assistance to such voter may be filed during the regular advance ballot application periods until the close of the polls on election day.

(3) The county election officer may designate places other than the central county election office as satellite advance voting sites. At any satellite advance voting site, a registered voter may obtain an application for advance voting ballots. Ballots and instructions shall be delivered to the voter in the same manner and subject to the same limitations as otherwise provided by this subsection.

(h) Any person having a permanent disability or an illness that has been diagnosed as a permanent illness is hereby authorized to make an application for permanent advance voting status. Applications for permanent advance voting status shall be in the form and contain such information as is required for application for advance voting ballots and also shall contain information that establishes the voter's right to permanent advance voting status.

(i) On receipt of any application filed under the provisions of this section, the

county election officer shall prepare and maintain in such officer's office a list of the names of all persons who have filed such applications, together with their correct post office address and the precinct, ward, township or voting area in which the persons claim to be registered voters or to be authorized by law to vote as former precinct residents and the present resident address of each applicant. Names and addresses shall remain so listed until the day of such election. The county election officer shall maintain a separate listing of the names and addresses of persons qualifying for permanent advance voting status. All such lists shall be available for inspection upon request in compliance with this subsection by any registered voter during regular business hours. The county election officer upon receipt of the applications shall enter upon a record kept by such officer the name and address of each applicant, which record shall conform to the list above required. Before inspection of any advance voting ballot application list, the person desiring to make the inspection shall provide to the county election officer identification in the form of driver's license or other reliable identification and shall sign a log book or application form maintained by the officer stating the person's name and address and showing the date and time of inspection. All records made by the county election officer shall be subject to public inspection, except that the voter identification information required by subsections (b) and (c) and the identifying number on ballots and ballot envelopes and records of such numbers shall not be made public.

(j) If a person on the permanent advance voting list fails to vote in four consecutive general elections ~~held on the Tuesday succeeding the first Monday in November of each even-numbered and odd-numbered year~~, the county election officer may mail a notice to such voter. The notice shall inform the voter that the voter's name will be removed from the permanent advance voting list unless the voter renews the application for permanent advance voting status within 30 days after the notice is mailed. If the voter fails to renew such application, the county election officer shall remove the voter's name from the permanent advance voting list. Failure to renew the application for permanent advance voting status shall not result in removal of the voter's name from the voter registration list.

(k) (1) Any person who solicits by mail a registered voter to file an application for an advance voting ballot and includes an application for an advance voting ballot in such mailing shall include on the exterior of such mailing, and on each page contained therein, except the application, a clear and conspicuous label in 14-point font or larger that includes:

(A) The name of the individual or organization that caused such solicitation to be mailed;

(B) if an organization, the name of the president, chief executive officer or executive director of such organization;

(C) the address of such individual or organization; and

(D) the following statement: "Disclosure: This is not a government mailing. It is from a private individual or organization."

(2) The application for an advance voting ballot included in such mailing shall be the official application for advance ballot by mail provided by the secretary of state. No portion of such application shall be completed prior to mailing such application to the registered voter.

(3) An application for an advance voting ballot shall include an envelope addressed

to the appropriate county election office for the mailing of such application. In no case shall the person who mails the application to the voter direct that the completed application be returned to such person.

(4) 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.

(5) A violation of this subsection is a class C nonperson misdemeanor.

(1) (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) A county election officer shall not mail a ballot to a voter unless such voter has submitted an application for an advance voting ballot, except that a ballot may be mailed to a voter if such voter has permanent advance voting ballot status pursuant to subsection (h) or if the election is conducted pursuant to the mail ballot election act, K.S.A. 25-431 et seq., and amendments thereto.

(n) The secretary of state may adopt rules and regulations in order to implement the provisions of this section and to define valid forms of identification.

Sec. 4. K.S.A. 2022 Supp. 25-3009, as amended by section 48 of 2023 Senate Bill No. 221, is hereby amended to read as follows: 25-3009. (a) After an election and prior to the meeting of the county board of canvassers to certify the official election results for any election in which the canvassers certify the results, the county election officer shall conduct a manual audit or tally of each vote cast, regardless of the method of voting, in 1% of all precincts, with a minimum of one precinct located within the county. The precinct or precincts shall be randomly selected and the selection shall take place after the election.

(b) (1) The audit shall be performed manually and shall review all paper ballots selected pursuant to subsection (a). The audit shall be performed by a sworn election board consisting of bipartisan trained board members. The county election officer shall determine the members of the sworn election board who will conduct the audit.

(2) The audit shall review contested races as follows:

(A) In presidential election years:

(i) One federal race;

(ii) one state legislative race;

(iii) one county race; and

(iv) one constitutional amendment question, if any.

(B) In even-numbered, non-presidential election years:

- (i) One federal race;
- (ii) one statewide race;
- (iii) one state legislative race;
- (iv) one county race; and
- (v) one constitutional amendment question, if any.

(C) In even-numbered election years, any federal, statewide or state legislative race that is within 1% of the total number of votes cast tallied on election night, as determined by the secretary of state, shall be audited. The county election officer shall conduct the audit in the manner set forth in subsection (a) in 10% of all county precincts in the specified race, with a minimum of one precinct in the county. The precincts audited pursuant to this subsection shall be in addition to the precincts audited under subparagraphs (2)(A) and (B).

(D) In odd-numbered election years, two local races will be randomly selected, and the selection shall take place after the election.

(E) Any presidential preference primary election held pursuant to K.S.A. 25-4501a, and amendments thereto.

(c) At least five days prior to the audit, notice of the time and location of the audit shall be provided to the public on the official county website. The audit shall be conducted in a public setting. Any candidate or entity who is authorized to appoint a poll agent may appoint a poll agent for the audit.

(d) The results of the audit shall be compared to the unofficial election night returns and a report shall be submitted to the county election office and to the secretary of state's office prior to the meeting of the county board of canvassers. If a discrepancy is reported between the audit and the unofficial returns and cannot be resolved, the county election officer or the secretary of state may require audits of additional precincts. Once the audit has been completed, the results of the audit shall be used by the county board of canvassers when certifying the official election results.

(e) Upon publication of the notice of the audit pursuant to subsection (c), the signed and certified official abstracts required by K.S.A. 25-3006, and amendments thereto, shall be made available by the county election office for review by any authorized poll agent. Such abstracts shall be from all precincts and shall not be limited to those precincts that are subject to the audit. The abstracts shall be available for review until commencement of the original canvass.

(f) The secretary of state shall adopt rules and regulations governing the conduct and procedure of the audit, including the random selection of the precincts and offices involved in the audit.

Sec. 5. K.S.A. 2022 Supp. 65-4101 is hereby amended to read as follows: 65-4101. As used in this act:

(a) "Administer" means the direct application of a controlled substance, 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; or
- (2) the patient or research subject at the direction and in the presence of the practitioner.

(b) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor or dispenser. ~~It~~ "Agent" does not include a common carrier, public warehouseman or employee of the carrier or warehouseman.

(c) "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) "Board" means the state board of pharmacy.

(e) "Bureau" means the bureau of narcotics and dangerous drugs, United States department of justice, or its successor agency.

(f) "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.

(g) (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.

(h) "Counterfeit substance" means a controlled substance that, or the container or labeling of which, without authorization bears the trademark, trade name or other identifying mark, imprint, number or device or any likeness thereof of a manufacturer, distributor or dispenser other than the person who in fact manufactured, distributed or dispensed the substance.

(i) "Cultivate" means the planting or promotion of growth of five or more plants that contain or can produce controlled substances.

(j) "DEA" means the U.S. department of justice, drug enforcement administration.

(k) "Deliver" or "delivery" means the actual, constructive or attempted transfer from one person to another of a controlled substance, whether or not there is an agency relationship.

(l) "Dispense" means to deliver a controlled substance to an ultimate user or research subject by or pursuant to the lawful order of a practitioner, including the packaging, labeling or compounding necessary to prepare the substance for that delivery, or pursuant to the prescription of a mid-level practitioner.

(m) "Dispenser" means a practitioner or pharmacist who dispenses, or a physician assistant who has authority to dispense prescription-only drugs in accordance with

K.S.A. 65-28a08(b), and amendments thereto.

(n) "Distribute" means to deliver other than by administering or dispensing a controlled substance.

(o) "Distributor" means a person who distributes.

(p) (1) "Drug" means substances:

(A) ~~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;

(B) ~~substances~~—intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in human or animals;

(C) ~~substances~~ (other than food) intended to affect the structure or any function of the body of human or animals; and

(D) ~~substances~~—intended for use as a component of any article specified in subparagraph (A), (B) or (C).

(2) "Drug" does not include devices or their components, parts or accessories.

(q) "Immediate precursor" means a substance that the board has found to be and by rule and regulation 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.

(r) "Electronic prescription" means an electronically prepared prescription that is authorized and transmitted from the prescriber to the pharmacy by means of electronic transmission.

(s) "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.

(t) "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.

(u) "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.

(v) "Electronically prepared prescription" means a prescription that is generated using an electronic prescription application.

(w) "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.

(x) "Intermediary" means any technology system that receives and transmits an electronic prescription between the prescriber and the pharmacy.

(y) "Isomer" means all enantiomers and diastereomers.

(z) "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 and includes any packaging or repackaging of the substance or labeling or relabeling of its container, except that this term does not include 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:

(1) 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

(2) 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.

(aa) "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. It 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) drug products approved by the United States food and drug administration as of the effective date of this act;

(4) cannabidiol (other trade name: 2-[(3-methyl-6-(1-methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-1,3-benzenediol); or

(5) industrial hemp as defined in K.S.A. 2-3901, and amendments thereto, when cultivated, produced, possessed or used for activities authorized by the commercial industrial hemp act.

(bb) "Medical care facility" shall have the meaning ascribed to that term in K.S.A. 65-425, and amendments thereto.

(cc) "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 under 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.

(dd) "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.

(ee) "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. It 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). It does include its racemic and levorotatory forms.

(ff) "Opium poppy" means the plant of the species *Papaver somniferum* l. except its seeds.

(gg) "Person" means an individual, corporation, government, or governmental subdivision or agency, business trust, estate, trust, partnership or association or any other legal entity.

(hh) "Pharmacist" means any natural person licensed under K.S.A. 65-1625 et seq., and amendments thereto, to practice pharmacy.

(ii) "Pharmacist intern" means: (1) A student currently enrolled in an accredited pharmacy program; (2) a graduate of an accredited pharmacy program serving such person's internship; or (3) a graduate of a pharmacy program located outside of the United States that is not accredited and who had successfully passed equivalency examinations approved by the board.

(jj) "Pharmacy prescription application" means software that is used to process prescription information, is installed on a pharmacy's computers and servers, and is controlled by the pharmacy.

(kk) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.

(ll) "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 controlled substance in teaching or chemical analysis or to conduct research with respect to a controlled substance.

(mm) "Prescriber" means a practitioner or a mid-level practitioner.

(nn) "Production" includes the manufacture, planting, cultivation, growing or harvesting of a controlled substance.

(oo) "Readily retrievable" means that records kept by automatic data processing applications or other electronic or mechanized recordkeeping systems can be separated out from all other records within a reasonable time not to exceed 48 hours of a 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.

(pp) "Ultimate user" means a person who lawfully possesses a controlled substance for such person's own use or for the use of a member of such person's household or for

administering to an animal owned by such person or by a member of such person's household.

Sec. 6. K.S.A. 75-7240, as amended by section 15 of 2023 House Bill No. 2019, is hereby amended to read as follows: 75-7240. (a) The executive branch agency heads shall:

(1) Be solely responsible for security of all data and information technology resources under such agency's purview, irrespective of the location of the data or resources. Locations of data may include:

- (A) Agency sites;
- (B) agency real property;
- (C) infrastructure in state data centers;
- (D) third-party locations; and
- (E) in transit between locations;

(2) ensure that an agency-wide information security program is in place;

(3) designate an information security officer to administer the agency's information security program that reports directly to executive leadership;

(4) participate in CISO-sponsored statewide cybersecurity program initiatives and services;

(5) implement policies and standards to ensure that all the agency's data and information technology resources are maintained in compliance with applicable state and federal laws and rules and regulations;

(6) implement appropriate cost-effective safeguards to reduce, eliminate or recover from identified threats to data and information technology resources;

(7) include all appropriate cybersecurity requirements in the agency's request for proposal specifications for procuring data and information technology systems and services;

(8) (A) submit a cybersecurity self-assessment report to the CISO by October 16 of each even-numbered year, including an executive summary of the findings, that assesses the extent to which the agency is vulnerable to unauthorized access or harm, including the extent to which the agency's or contractor's electronically stored information is vulnerable to alteration, damage, erasure or inappropriate use;

(B) ensure that the agency conducts annual internal assessments of its security program. Internal assessment results shall be considered confidential and shall not be subject to discovery by or release to any person or agency, outside of the KISO or CISO, without authorization from the executive branch agency director or head. ~~This provision regarding confidentiality shall expire on July 1, 2023, unless the legislature reviews and reenacts such provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2023; and~~

(C) prepare or have prepared a financial summary identifying cybersecurity expenditures addressing the findings of the cybersecurity self-assessment report required in subparagraph (A), excluding information that might put the data or information resources of the agency or its contractors at risk and submit such report to the house of representatives committee on appropriations and the senate committee on ways and means; and

(9) ensure that if an agency owns, licenses or maintains computerized data that includes personal information, confidential information or information, the disclosure of which is regulated by law, such agency shall, in the event of a breach or suspected

breach of system security or an unauthorized exposure of that information:

(A) Comply with the notification requirements set out in K.S.A. 2022 Supp. 50-7a01 et seq., and amendments thereto, and applicable federal laws and rules and regulations, to the same extent as a person who conducts business in this state; and

(B) not later than 48 hours after the discovery of the breach, suspected breach or unauthorized exposure, notify: (i) The CISO; and (ii) if the breach, suspected breach or unauthorized exposure involves election data, the secretary of state.

(b) The director or head of each state agency shall:

(1) Participate in annual agency leadership training to ensure understanding of:

(A) The potential impact of common types of cyberattacks and data breaches on the agency's operations and assets;

(B) how cyberattacks and data breaches on the agency's operations and assets may impact the operations and assets of other governmental entities on the state enterprise network;

(C) how cyberattacks and data breaches occur; and

(D) steps to be undertaken by the executive director or agency head and agency employees to protect their information and information systems;

(2) ensure that all information technology login credentials are disabled the same day that any employee ends their employment with the state; and

(3) require that all employees with access to information technology receive a minimum of one hour of information technology security training per year.

(c) (1) The CISO, with input from the joint committee on information technology and the joint committee on Kansas security, shall develop a self-assessment report template for use under subsection (a)(8)(A). The most recent version of such template shall be made available to state agencies prior to July 1 of each even-numbered year. The CISO shall aggregate data from the self-assessments received under subsection (a)(8)(A) and provide a summary of such data to the joint committee on information technology and the joint committee on Kansas security.

(2) Self-assessment reports made to the CISO pursuant to subsection (a)(8)(A) shall be confidential and shall not be subject to the provisions of the Kansas open records act, K.S.A. 45-215 et seq., and amendments thereto. The provisions of this paragraph shall expire on July 1, 2028, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2028.

Sec. 7. K.S.A. 75-7242, as amended by section 16 of 2023 House Bill No. 2019, is hereby amended to read as follows: 75-7242. Information collected to effectuate this act shall be considered confidential by all state and local governmental organizations unless all data elements or information that specifically identifies a target, vulnerability or weakness that would place the organization at risk have been redacted, including: (a) System information logs; (b) vulnerability reports; (c) risk assessment reports; (d) system security plans; (e) detailed system design plans; (f) network or system diagrams; and (g) audit reports. ~~The provisions of this section shall expire on July 1, 2023, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto, prior to July 1, 2023.~~

Sec. 8. K.S.A. 2022 Supp. 79-3234, as amended by section 72 of 2023 Senate Bill No. 244, is hereby amended to read as follows: 79-3234. (a) All reports and returns required by this act shall be preserved for three years and thereafter until the director orders them to be destroyed.

(b) Except in accordance with proper judicial order, or as provided in subsection (c) or K.S.A. 46-1106(e), 46-1114 or 79-32,153a, and amendments thereto, it shall be unlawful for the secretary, the director, any deputy, agent, clerk or other officer, employee or former employee of the department of revenue or any other state officer or employee or former state officer or employee to divulge, or to make known in any way, the amount of income or any particulars set forth or disclosed in any report, return, federal return or federal return information required under this act; and it shall be unlawful for the secretary, the director, any deputy, agent, clerk or other officer or employee engaged in the administration of this act to engage in the business or profession of tax accounting or to accept employment, with or without consideration, from any person, firm or corporation for the purpose, directly or indirectly, of preparing tax returns or reports required by the laws of the state of Kansas, by any other state or by the United States government, or to accept any employment for the purpose of advising, preparing material or data, or the auditing of books or records to be used in an effort to defeat or cancel any tax or part thereof that has been assessed by the state of Kansas, any other state or by the United States government.

(c) The secretary or the secretary's designee may:

(1) Publish statistics, so classified as to prevent the identification of particular reports or returns and the items thereof;

(2) allow the inspection of returns by the attorney general or other legal representatives of the state;

(3) provide the post auditor access to all income tax reports or returns in accordance with and subject to the provisions of K.S.A. 46-1106(e) or 46-1114, and amendments thereto;

(4) disclose taxpayer information from income tax returns to persons or entities contracting with the secretary of revenue where the secretary has determined disclosure of such information is essential for completion of the contract and has taken appropriate steps to preserve confidentiality;

(5) disclose to the secretary of commerce the following: (A) Specific taxpayer information related to financial information previously submitted by the taxpayer to the secretary of commerce concerning or relevant to any income tax credits, for purposes of verification of such information or evaluating the effectiveness of any tax credit or economic incentive program administered by the secretary of commerce; (B) the amount of payroll withholding taxes an employer is retaining pursuant to K.S.A. 74-50,212, and amendments thereto; (C) information received from businesses completing the form required by K.S.A. 74-50,217, and amendments thereto; and (D) findings related to a compliance audit conducted by the department of revenue upon the request of the secretary of commerce pursuant to K.S.A. 74-50,215, and amendments thereto;

(6) disclose income tax returns to the state gaming agency to be used solely for the purpose of determining qualifications of licensees of and applicants for licensure in tribal gaming. Any information received by the state gaming agency shall be confidential and shall not be disclosed except to the executive director, employees of the state gaming agency and members and employees of the tribal gaming commission;

(7) disclose the taxpayer's name, last known address and residency status to the Kansas department of wildlife, ~~and parks and tourism~~ to be used solely in its license fraud investigations;

(8) disclose the name, residence address, employer or Kansas adjusted gross

income of a taxpayer who may have a duty of support in a title IV-D case to the secretary of the Kansas department for children and families for use solely in administrative or judicial proceedings to establish, modify or enforce such support obligation in a title IV-D case. In addition to any other limits on use, such use shall be allowed only where subject to a protective order which prohibits disclosure outside of the title IV-D proceeding. As used in this section, "title IV-D case" means a case being administered pursuant to part D of title IV of the federal social security act, 42 U.S.C. § 651 et seq., and amendments thereto. Any person receiving any information under the provisions of this subsection shall be subject to the confidentiality provisions of subsection (b) and to the penalty provisions of subsection (e);

(9) permit the commissioner of internal revenue of the United States, or the proper official of any state imposing an income tax, or the authorized representative of either, to inspect the income tax returns made under this act and the secretary of revenue may make available or furnish to the taxing officials of any other state or the commissioner of internal revenue of the United States or other taxing officials of the federal government, or their authorized representatives, information contained in income tax reports or returns or any audit thereof or the report of any investigation made with respect thereto, filed pursuant to the income tax laws, as the secretary may consider proper, but such information shall not be used for any other purpose than that of the administration of tax laws of such state, the state of Kansas or of the United States;

(10) communicate to the executive director of the Kansas lottery information as to whether a person, partnership or corporation is current in the filing of all applicable tax returns and in the payment of all taxes, interest and penalties to the state of Kansas, excluding items under formal appeal, for the purpose of determining whether such person, partnership or corporation is eligible to be selected as a lottery retailer;

(11) communicate to the executive director of the Kansas racing commission as to whether a person, partnership or corporation has failed to meet any tax obligation to the state of Kansas for the purpose of determining whether such person, partnership or corporation is eligible for a facility owner license or facility manager license pursuant to the Kansas pari-mutuel racing act;

(12) provide such information to the executive director of the Kansas public employees retirement system for the purpose of determining that certain individuals' reported compensation is in compliance with the Kansas public employees retirement act, K.S.A. 74-4901 et seq., and amendments thereto;

(13) (A) provide taxpayer information of persons suspected of violating K.S.A. 44-766, and amendments thereto, to the secretary of labor or such secretary's designee for the purpose of determining compliance by any person with the provisions of K.S.A. 44-703(i)(3)(D) and 44-766, and amendments thereto. The information to be provided shall include all relevant information in the possession of the department of revenue necessary for the secretary of labor to make a proper determination of compliance with the provisions of K.S.A. 44-703(i)(3)(D) and 44-766, and amendments thereto, and to calculate any unemployment contribution taxes due. Such information to be provided by the department of revenue shall include, but not be limited to, withholding tax and payroll information, the identity of any person that has been or is currently being audited or investigated in connection with the administration and enforcement of the withholding and declaration of estimated tax act, K.S.A. 79-3294 et seq., and amendments thereto, and the results or status of such audit or investigation;

(B) any person receiving tax information under the provisions of this paragraph shall be subject to the same duty of confidentiality imposed by law upon the personnel of the department of revenue and shall be subject to any civil or criminal penalties imposed by law for violations of such duty of confidentiality; and

(C) each of the secretary of labor and the secretary of revenue may adopt rules and regulations necessary to effect the provisions of this paragraph;

(14) provide such information to the state treasurer for the sole purpose of carrying out the provisions of K.S.A. 58-3934, and amendments thereto. Such information shall be limited to current and prior addresses of taxpayers or associated persons who may have knowledge as to the location of an owner of unclaimed property. For the purposes of this paragraph, "associated persons" includes spouses or dependents listed on income tax returns;

(15) after receipt of information pursuant to subsection (f), forward such information and provide the following reported Kansas individual income tax information for each listed defendant, if available, to the state board of indigents' defense services in an electronic format and in the manner determined by the secretary:

(A) The defendant's name; (B) social security number; (C) Kansas adjusted gross income; (D) number of exemptions claimed; and (E) the relevant tax year of such records. Any social security number provided to the secretary and the state board of indigents' defense services pursuant to this section shall remain confidential; and

(16) disclose taxpayer information that is received from income tax returns to the department of commerce that may be disclosed pursuant to the provisions of K.S.A. 2022 Supp. 74-50,227, and amendments thereto, for the purpose of including such information in the database required by K.S.A. 2022 Supp. 74-50,227, and amendments thereto.

(d) Any person receiving information under the provisions of subsection (c) shall be subject to the confidentiality provisions of subsection (b) and to the penalty provisions of subsection (e).

(e) Any violation of subsection (b) or (c) is a class A nonperson misdemeanor and, if the offender is an officer or employee of the state, such officer or employee shall be dismissed from office.

(f) For the purpose of determining whether a defendant is financially able to employ legal counsel under the provisions of K.S.A. 22-4504, and amendments thereto, in all felony cases with appointed counsel where the defendant's social security number is accessible from the records of the district court, the court shall electronically provide the defendant's name, social security number, district court case number and county to the secretary of revenue in the manner and format agreed to by the office of judicial administration and the secretary.

(g) Nothing in this section shall be construed to allow disclosure of the amount of income or any particulars set forth or disclosed in any report, return, federal return or federal return information, where such disclosure is prohibited by the federal internal revenue code as in effect on September 1, 1996, and amendments thereto, related federal internal revenue rules or regulations, or other federal law.";

Also on page 3, in line 14, by striking "8-1723 is" and inserting "8-1103, as amended by section 4 of 2023 House Bill No. 2147, 25-1122, as amended by section 1 of 2023 House Bill No. 2053, 25-1122, as amended by section 28 of 2023 Senate Bill No. 221, 32-837, as amended by section 35 of 2023 House Bill No. 2332, 32-906, as amended by

section 52 of 2023 House Bill No. 2332, 75-1253, as amended by section 127 of 2023 House Bill No. 2332, 75-7240, as amended by section 15 of 2023 House Bill No. 2019, 75-7240, as amended by section 8 of 2023 House Bill No. 2395, 75-7242, as amended by section 16 of 2023 House Bill No. 2019, and 75-7242, as amended by section 9 of 2023 House Bill No. 2395, and K.S.A. 2022 Supp. 21-6614, 21-6614i, 25-3009, as amended by section 48 of 2023 Senate Bill No. 221, 25-3009, as amended by section 3 of 2023 House Bill No. 2053, 65-4101, 65-4101d, 79-3234, as amended by section 72 of 2023 Senate Bill No. 244, and 79-3234, as amended by section 141 of 2023 House Bill No. 2332, are"; following line 14, by inserting:

"Sec. 11. On and after January 1, 2024, K.S.A. 8-1103, as amended by section 1 of 2023 House Bill No. 2042, is hereby repealed.";

Also on page 3, in line 16, 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 "ACT"; by striking all in lines 2 through 10; in line 11, by striking "section" and inserting "reconciling multiple amendments to certain statutes; amending K.S.A. 8-1103, as amended by section 1 of 2023 House Bill No. 2042, 25-1122, as amended by section 1 of 2023 House Bill No. 2053, 75-7240, as amended by section 15 of 2023 House Bill No. 2019, and 75-7242, as amended by section 16 of 2023 House Bill No. 2019, and K.S.A. 2022 Supp. 21-6614, 25-3009, as amended by section 48 of 2023 Senate Bill No. 221, 65-4101 and 79-3234, as amended by section 72 of 2023 Senate Bill No. 244, and repealing the existing sections; also repealing K.S.A. 8-1103, as amended by section 4 of 2023 House Bill No. 2147, 25-1122, as amended by section 28 of 2023 Senate Bill No. 221, 32-837, as amended by section 35 of 2023 House Bill No. 2332, 32-906, as amended by section 52 of 2023 House Bill No. 2332, 75-1253, as amended by section 127 of 2023 House Bill No. 2332, 75-7240, as amended by section 8 of 2023 House Bill No. 2395, 75-7242, as amended by section 9 of 2023 House Bill No. 2395, and K.S.A. 2022 Supp. 21-6614i, 25-3009, as amended by section 3 of 2023 House Bill No. 2053, 65-4101d and 79-3234, as amended by section 141 of 2023 House Bill No. 2332";

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

TROY WAYMASTER
KYLE HOFFMAN
HENRY HELGERSON

Conferees on part of House

RICK BILLINGER
J R CLAEYS
PAT PETTEY

Conferees on part of Senate

Senator Claeys moved the Senate adopt the Conference Committee Report on **SB 106**.

On roll call, the vote was: Yeas 39; Nays 1; Present and Passing 0; Absent or Not Voting 0.

Yeas: Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Francisco, Gossage, Haley, Holland, Holscher, Kerschen, Kloos, Longbine, Masterson, McGinn, O'Shea, Peck, Petersen, Pettey, Pittman, Pyle, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Thompson,

Tyson, Ware, Warren, Wilborn.

Nays: Olson.

The Conference Committee Report was adopted.

REPORT ON ENROLLED BILLS

SR 1721, SR 1722, SR 1723, SR 1724, SR 1725, SR 1726, SR 1727 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on April 28, 2023.

TRIBUTES

The Committee on **Organization, Calendar, and Rules** authorizes the following tributes for the week of April 24 through April 28, 2023:

Senator Billinger: congratulating the Goodland High School Girls Basketball Team on winning back-to-back state championships;

Senator Bowers: congratulating Ella Pachta on being named the 2023 North Central District FFA Star Farmer, congratulating Makenna Elliott on receiving an artist of the week award, congratulating Preston Beckman on achieving the rank of Eagle Scout, congratulating Ashley Mai on receiving the 2023 CCMFOA Rookie of the Year Award, celebrating Gladys Ehm's 100th Birthday, congratulating Nikki Flinn on receiving the 2023 District Principal of the Year Award, celebrating the 100th Anniversary of the Rooks County Courthouse;

Senator Faust Goudeau: thanking Darlene Allen for her service to the Kansas Legislature;

Senator Holscher: congratulating the Blue Valley North Girls Basketball Team on winning the 2023 6A State Championship;

Senator McGinn: commending Ronald Braun on his service as mayor of North Newton and wishing him well in retirement; and

Senator Warren: congratulating Todd Dain on receiving the 2023 Principal of the Year Award.

As provided by **HCR 5016**, Senator Alley moved the Senate adjourn Sine Die. The motion carried.

President Masterson thereupon announced: "The 2023 Session of the Kansas Senate is adjourned Sine Die."

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*



REPORT ON ENROLLED BILLS

SB 8, SB 25, SB 106; Sub SB 131; SB 174 reported correctly enrolled, properly signed and presented to the governor on May 5, 2023.

H Sub SB 113 reported correctly enrolled, properly signed and presented to the governor on May 8, 2023.

MESSAGE FROM THE GOVERNOR

SB 106, SB 131 approved on May 9, 2023

SB 174 approved on May 11, 2023

MESSAGE FROM THE GOVERNOR

REGARDING VETO OF SENATE BILL 8

After years of fiscal mismanagement and budget deficits, I am proud that we have balanced the budget four years in a row. As a result, we have seen record economic growth and have delivered over \$1 billion in tax cuts for working families, property owners, veterans, farmers, and ranchers. Instead of sticking with this fiscally responsible and bipartisan path, this bill prioritizes tax breaks for big business over everyday Kansans and would harm the budgets of local governments and schools.

While **Senate Bill 8** includes tax cuts and personal property tax reforms that I support, by bundling 12 bill together the legislature has made it possible to sort out the bad from the good.

Therefore, under Article 2, Section 14(a) of the Constitution, I hereby veto **Senate Bill 8**.

THE GOVERNOR'S OFFICE

THE GOVERNOR

LAURA KELLY

DATED May 12, 2023

The message was received on May 12, 2023. The veto message having been received after the Senate adjourned Sine Die, there was no opportunity to reconsider **SB 8**.

REGARDING SENATE BILL 25

Senate Bill 25 includes many worthy bipartisan initiatives, including increased funding for mental health, economic development, infrastructure, and higher education. The state matching funds and technical assistance that I proposed in my budget for communities applying for federal grant programs could lead to transportation, energy, water, and broadband improvements that will benefit Kansans for years to come if administered effectively. The Omnibus Budget also contains well deserved pay increases for public employees who work every day to ensure the efficient and effective delivery of public safety, education, health care, emergency response, and business and family services throughout Kansas.

Many of the appropriations and related provisions contained in Senate Bill 25 were passed through the regular process, in which public hearings are followed by debate and amendment in committee and the full House and Senate. This process provides needed scrutiny and input. However, there are many items in this bill that were added after this process ended, some of which I have line-item vetoed below.

Adding sections of funding and related policy at the last minute does not provide legislators with the opportunity to understand and weigh the merits of each proposal. For the sake of all Kansans having a voice in the budget through their elected

representatives, we should return to greater adherence to the regular process.

I look forward to continuing to work with the Legislature to provide fiscally responsible budgets that invest in our future and protect us from returning to the days when, in order to take care of one group, we had to sacrifice the needs of another.

Therefore, pursuant to Article 2, Section 14(b) of the Constitution of the State of Kansas, I hereby return **Senate Bill 25** with my signature approving the bill, except for the items enumerated below.

Board of Pharmacy Provisos

Sec. 5 and Sec. 6 have been line-item vetoed in their entirety.

As I have said previously, legislators can address rules and regulations they disagree with through the regular legislative process. This ensures that any law enacted in the state of Kansas has received proper input from interested parties and that Kansas taxpayers are guaranteed transparency. The funding restriction in Sec. 5(a) and Sec. 6(a) impedes the Board of Pharmacy's ability to regulate issues related to the practice of pharmacy. This language was not properly vetted by any stakeholder, including patients and providers, who would be most affected by the changes in this line item.

Excluding Providers of Mental Health Treatment from Mental Health Intervention Team Program

The provisions of Sec. 37(a) that read as follows have been line-item vetoed:

And provided further; That the purposes of the mental health intervention team program are to: Provide greater access to behavioral health services for students enrolled in kindergarten or any of the grades one through 12 and establish a coherent structure between school districts and community mental health centers to optimize scarce behavioral health resources and workforce; identify students, communicate with families and link students and their families to the statewide behavioral health systems and resources within the network of community mental health centers; alleviate the shortage of staff with specialized degrees or training such as school counselors, psychologists and social workers and reduce the competition for such staff between school districts and other private and governmental service providers to provide broader-based and collaborative services to students, especially in rural districts that do not have enough students to justify a full-time staff position; provide and coordinate mental health services to students throughout the calendar year, not only during school hours over nine months of the school year; and reduce barriers that families experience to access mental health services and maintain consistency for a child to attend recurring sessions and provide coordination between the child's classroom schedule and the provision of such services: *And provided further*; That the program shall focus on the following students: Any student who has been adjudicated as a child in need of care and is in the custody of the secretary for children and families or has been referred for a families first program or family preservation program; and any other student who is in need of mental health support services: *And provided further*; That the state department of education shall oversee and implement the mental health intervention team program in accordance with the requirements of this subsection and the policies and procedures established by the department pursuant to such subsection: *And provided further*; That, in each school year, the board of education of a school district may apply to the department to establish or maintain a mental health intervention team program within such school district: *And provided further*; That the application shall be in such form and manner as the department requires and submitted at a time determined and specified by

the department: *And provided further*, That each application submitted by a school district shall specify the community mental health center that the school intends to coordinate with to provide school-based services to students who need assistance during the applicable school year: *And provided further*, That, if a school district is approved to establish or maintain a mental health intervention team program, the school district shall enter into a memorandum of understanding with a partnering community mental health center: *And provided further*, That, if the school district chooses to partner with more than one community mental health center, the school district shall enter into a separate memorandum of understanding with each such community mental health center: *And provided further*, That the department may establish requirements for a memorandum of understanding, including contractual provisions that are required to be included in each memorandum of understanding and that are optional and subject to agreement between the school district and the community mental health center: *And provided further*, That each memorandum of understanding shall be submitted to the department for final approval: *And provided further*, That, subject to appropriations therefor, a school district that has been approved by the department to establish or maintain a mental health intervention team program shall be eligible to receive a mental health intervention team program grant and a community mental health center pass-through grant: *And provided further*, That, except as otherwise provided in this subsection, the amount of a school district's mental health intervention team program grant shall be determined in each school year by calculating the total amount of the salary and fringe benefits paid by the school district to each school liaison, not to exceed \$50,000 for any such school liaison: *And provided further*, That the amount of a school district's community mental health center pass-through grant shall be an amount equal to 33% of the amount of the school district's mental health intervention team grant, and moneys provided to a school district for the community mental health center pass-through grant shall be paid to any community mental health center that partners with the school district: *And provided further*, That, if the amount of appropriations are insufficient to pay in full the amount of all grants that school districts are entitled to receive for the school year, the department shall prorate the amount appropriated among all districts: *And provided further*, That the department shall be responsible for the allocation and distribution of grants in accordance with appropriation acts: *And provided further*, That the department may make grant payments in installments and may provide for payments in advance or by way of reimbursement and may make any necessary adjustments for any overpayment to a school district: *And provided further*, That the department shall not award any grant to a school district unless such school district has entered into a memorandum of understanding with a partnering community mental health center in accordance with this subsection: *And provided further*, That the department may waive the requirement that a school district employ a school liaison and may instead authorize a community mental health center that partners with the school district to employ a school liaison: *And provided further*, That such waiver shall only be granted by the department in limited circumstances: *And provided further*, That a school district that is granted a waiver pursuant to this subsection shall continue to be eligible to receive the mental health intervention team program grant and the community mental health center pass-through grant authorized pursuant to this section: *And provided further*, That the amount of the mental health intervention team program grant shall be determined in the same manner as provided under this subsection as though the school liaison was

employed by such school district: *And provided further*, That upon receipt of any moneys awarded pursuant to the mental health intervention team program grant to any such school district, the school district shall direct payment of such amount to the community mental health center that employs the school liaison: *And provided further*, That, on or before January 8, 2024, the department shall prepare and submit a report on the mental health intervention team program for the preceding school year to the house of representatives standing committees on appropriations, social services budget and K12 education budget and the senate standing committees on ways and means, public health and welfare and education: *And provided further*, That such report shall provide a summary of the program, including, but not limited to, the school districts that applied to participate or continued participating under the program, the participating community mental health centers, the grant amount each such school district received and the payments made by school districts from the mental health intervention team program fund of each school district: *And provided further*, That the staff required for the establishment and maintenance of a mental health intervention team program shall include a combination of one or more behavioral health liaisons employed by the school district and one or more case managers and clinical therapists employed by the partnering community mental health center: *And provided further*, That all staff working together under a school district's program shall be known as the behavioral health intervention team of the school district: *And provided further*, That the school district and the community mental health center shall cooperate and work together to identify needs specific to the students in the school district and the families of such students and shall develop an action plan to implement a school-based program that is tailored to meet such needs: *And provided further*, That a school district that participates in the program shall employ one or more school liaisons who will help students in need and coordinate services between the school district, the student, the student's family and the community mental health center: *And provided further*, That a school liaison shall have a bachelor's degree in any field of study. A school liaison's roles and responsibilities include, but are not limited to: Identifying appropriate student referrals for which the team shall engage; act as a liaison between the school district and the community mental health center and be the primary point of contact for communications between the school district and the community mental health center; assist with community mental health center staff understanding of the school district's system and procedures, including the school calendar, professional development, drills and crisis plan protocols; triage prospective student referrals and help decide how to prioritize interventions; help the community mental health center and other school personnel understand the roles and responsibilities of the behavioral health intervention team; facilitate communications and connections between families of identified students and the community mental health center's staff; coordinate a student's treatment schedule with building administrators and classroom teachers to optimize clinical therapist's productivity; troubleshoot problems that arise and work with the community mental health center to resolve such problems; track and compile outcomes to monitor the effectiveness of the program; maintain and update the mental health intervention team database as directed by the department; follow up with child welfare contacts if a student has moved schools to get the child's educational history; be an active part of the school intervention team and relay information back to community mental health center staff, including student observations, intervention feedback from teachers,

communications with family and other relevant information; work with school administration to identify and provide confidential space for a community mental health center therapist; and assist in planning continuity of care through summer services: *And provided further*, That a community mental health center that partners with a school district shall employ one or more master's level clinical therapists who will collaborate with the school district to assist students in need and provide services to such students under the program: *And provided further*, That a clinical therapist's roles and responsibilities under the program include, but are not limited to: Assisting the school liaison with the identification of appropriate student referrals to the program; triaging student referrals with the school liaison to prioritize treatment interventions for identified students; working with the school liaison to connect with families or child welfare contacts to obtain consent to commence treatment; conducting a clinical assessment of the identified student and make appropriate treatment recommendations; engaging with the student, family or child welfare contacts in clinical interventions as identified on the treatment plan and providing individual and family therapy; administering scales or tests to detect areas of concern with depression, anxiety, self-harm or other areas as identified; making referrals to other treatment modalities as appropriate; communicating educationally appropriate information to the school liaison, such as interventions and strategies for use by classroom and school staff; gathering outcome data to monitor the effectiveness of the program; coordinating with the case manager by the student's treatment plan to identify ways to support the student and family; providing therapy services as determined by a students' treatment plan; and maintaining the treatment plan and necessary treatment protocols required by the community mental health center: *And provided further*, That a community mental health center that partners with a school district shall employ one or more case managers who will collaborate with the school district to assist students in need and coordinate services under the program: *And provided further*, That a case manager's roles and responsibilities under the program include, but are not limited to: Working with the school liaison and clinical therapist to identify students and triage priorities for treatment; providing outreach to students, families and child welfare contacts to help engage in treatment; participating in the treatment planning process; communicating with the school liaison and other school district personnel about student needs, interventions and progress; helping maintain communication between all entities, including the family, student, school, clinical therapist, child welfare contacts and the community; maintaining the treatment plan and necessary treatment protocols required by the community mental health center; making referrals to appropriate community resources; helping reconnect students and families when they are not following through with the treatment process; helping families negotiate barriers to treatment; and engaging with the student in the classroom, the home or the community to help build skills wherever needed: *And provided further*, That, as used in this subsection, "community mental health center" means a center organized pursuant to article 40 of chapter 19 of the Kansas Statutes Annotated, and amendments thereto, or a mental health clinic organized pursuant to article 2 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

The Legislature should work in a bipartisan manner to codify and make permanent the current Mental Health Intervention Team Pilot Program. This program is vital to ensuring Kansas children have the mental health support they need as they progress

through our public school system. I'm proud to support this program, and I have routinely increased its funding so that more schools can provide these services to our students. As written, this proviso would limit the type of mental health providers and practitioners who can participate in the programming—hampering our school districts' ability to contract with a variety of professionals and preventing certain mental health professionals from assisting our students. If we truly want to address the youth mental health crisis and support our young people, we need to ensure that students have access to every resource available. We cannot leave dedicated, experienced mental health professionals on the sidelines as our students remain in need of care.

Quindaro Ruins

Sec. 40 is line-item vetoed in its entirety.

This request for funding for a master plan for the Quindaro Ruins historic site was not considered by the Legislature until the final moments of the 2023 session. As a result, there was no opportunity to vet this proposal to ensure that it truly serves the needs of the community for whom the site is named. My administration recognizes the importance of this culturally significant site, and I will support efforts to elevate this fundamental piece of Kansas history and honor the surrounding community. Advocates should work through the proper channels to seek funding for this measure and ensure that it receives the recognition it deserves.

Inequitable Distribution of Need-Based Aid

The portion of Sec. 47(a) that reads as follows has been line-item vetoed:

Independent colleges comprehensive grant program.....\$5,000,000
Provided, That all expenditures from such account shall be made to provide that all moneys shall be distributed in the same proportionate amount as such moneys were distributed to each such independent college in fiscal year 2023 from the comprehensive grant program account (561-00-1000-4500): *Provided further*, That, as used in this subsection, "independent college" means a not-for-profit independent institution of higher education which is accredited by the north central association of colleges and secondary schools accrediting agency based on its requirements as of April 1, 1985, or by the higher learning commission of the north central association of colleges and schools based on its requirements as of January 1, 2006, is operated independently and not controlled or administered by the state or any agency or subdivision thereof, maintains open enrollment and the main campus or principal place of operation of which is located in Kansas.

Sec. 47(c) has been line-item vetoed in its entirety.

The Kansas Comprehensive Grant already provides a significant financial advantage for Kansas independent colleges on a per pupil basis. Publicly funded student financial aid should be targeted for its intended purpose by all institutions that receive it—providing aid to qualified Kansas residents who show exceptional financial need. It is vital that this funding is allocated in a manner that provides access to higher education for as many Kansas students as possible.

State Fire Marshal Proviso

Sec. 53 has been line-item vetoed in its entirety.

Completely prohibiting the State Fire Marshal from ensuring adequate safety regulations on an entire category of businesses is a heavy-handed approach to addressing state and local fire safety requirements and is bound to have unintended consequences. Stakeholders should work together to identify a regulatory solution that

balances the business needs of farm wineries with fire safety.

THE GOVERNOR'S OFFICE
THE GOVERNOR
LAURA KELLY
DATED May 15, 2023

The message was received on May 15, 2023. The veto message having been received after the Senate adjourned Sine Die, there was no opportunity to reconsider the line-item vetoes on **SB 25**.

REGARDING HOUSE SUBSTITUTE FOR SENATE BILL 113

I first ran to be the “Education Governor” because I was committed to ensuring Kansas students receive the world-class education to which they are entitled. I knew that young Kansans deserved better than crowded classrooms, four-day school weeks, and sliding test scores – and that if we wanted to build a stronger workforce and economy for generations to come, we needed to get back to investing in our students. Over the past five years, I’ve worked with the Legislature to do exactly that: we’ve fully funded our schools every year I’ve been in office, defended against attacks on public schools, and empowered parents and teachers to help our students succeed. Now, it’s clear—Kansas is back on the right track.

We have the opportunity to continue that progress with elements of House Substitute for **Senate Bill 113**. It extends the high-density at-risk weighting and the 20 mills school statewide property tax levy—both of which are vital to providing adequate funding for Kansas students. **SB 113** also provides essential funding for school safety that will allow districts to purchase communications equipment to better coordinate with law enforcement agencies and naloxone to combat the fentanyl crisis affecting too many of our young people. Through the omnibus budget bill, Senate Bill 25, I also was proud to secure new funding for the Mental Health Intervention Team Pilot Program, which provides crucial mental health services to our students.

However, I’m disappointed that this bill fails to provide substantial increases to special education, something that’s critical to the success of every Kansas student. As the state continues not to meet its statutory obligation to fully fund special education, districts must move funding from their general fund budgets to pay for critical services for special education students, in essence limiting their ability to invest in teacher salary increases, create innovative approaches to curriculum, and expand career and technical education opportunities. While I’ll continue to push the federal government to keep its end of the bargain, the Legislature should have done more to increase special education funding in the meantime. When legislators return in 2024, they need to correct their mistake and put Kansas on track to fully fund special education.

The process by which **SB 113** was passed also raises concerns. The Legislature continues a pattern of bundling appropriations and policy provisions into one bill, limiting the ability for the public and their elected representatives to weigh in on each individual element of legislation. The appropriations for our public school system belong with the remainder of the state’s budget and should be evaluated through the normal appropriations process. Instead, the Legislature has decided to “logroll” unpopular provisions into this bill—provisions that would not withstand scrutiny or

pass muster on their own. The Legislature included provisions in this bill that never received a public hearing, were never worked by a legislative committee, nor passed through even one chamber of the Legislature prior to being included in this bill. This process lacks public transparency and prevents the collaboration that could prevent unintended consequences of hastily crafted legislation. The Legislature must end its practice of “logrolling” education funding bills that have such critical consequences for our children, families, and the state.

The “logrolling” process resulted in the inclusion of several elements of this bill that would harm public students and schools. The provisions permitting nonpublic school students to participate in public school activities and expanding the low-income tax credit scholarship program are not policies widely supported by Kansans and would not receive the same support if not tied to education funding. The measure that gives the Legislature the first right of refusal to purchase school buildings creates significant constitutional and local control questions and will likely lead to litigation. Of most concern, though, are changes in appropriations caused by altering the school finance distribution to schools in Section 14.

The current school finance formula was approved by the Kansas Supreme Court in the *Gannon* case. Changes to this formula run the risk of noncompliance and jeopardize our track record of constitutionally funding schools. **SB 113** specifically changes the method by which school districts must determine their enrollment and thus the amount of funding appropriated by the state. Under current law, school districts may use the enrollment of one of the two preceding years to determine the level of state aid they are subject to receive. This essential element of our finance formula was crafted to ensure that districts with declining enrollment, especially rural districts, can properly account for this decline and make financial plans to ensure their own sustainability. SB 113 changes the formula so that districts must use the current year or the previous year’s enrollment when determining state aid.

For districts experiencing declining enrollment, this change precipitates immediate funding adjustments that districts would be required to make in the upcoming school year rather than over the next few years as is dictated by current law. This provision would be enacted after many school districts have finalized their budget and signed contracts with teachers based on existing appropriations. These districts are already preparing for the budget impacts of declining enrollment, but the decision to rapidly speed up the fiscal effect of declining enrollment leaves districts in an untenable situation where they must significantly cut budgets in a matter of weeks. These districts have been operating in good faith and within the bounds of current law when determining their budgets and enrollment for the upcoming school year. This provision pulls the rug out from underneath rural school districts at the 11th hour. If this provision were enacted, it would bring dangerous and devastating consequences for our rural districts.

I will not allow this to happen to our rural schools, which are essential to the fabric of Kansas. As Governor, I have always been committed to ensuring that our rural schools are properly supported to serve their communities. This provision jeopardizes the vitality of our rural communities and threatens the economic engines of many small towns.

In addition, the current method for determining enrollment was approved by the Kansas Supreme Court in the *Gannon* case; changing one of the primary building

blocks of the school finance formula in *Gannon* would raise questions over the state’s compliance with the case.

Therefore, I have chosen to line-item veto Section 14 of **SB 113**.

Throughout the legislative debate over this bill, **SB 113** was categorized as an appropriations bill. During the House debate, a legislator moved to amend the finance formula provisions of the bill, which was ruled a violation of the chamber rules because the net effect of the amendment would have caused a change to the appropriations in the state foundation aid line-item. That appropriation would have very real consequences for our schools, as the finance formula operationally determines the amount of state funds appropriated to school districts through the proper budget line-items.

Therefore, pursuant to Article 2, Section 14(b) of the Constitution of the State of Kansas, I hereby return House Substitute for Senate Bill 113 with my signature approving the bill, except for the items enumerated below.

Appropriations through Changes to the Definition of Enrollment in the Kansas School Equity and Enhancement Act

Sec. 1(c) has been vetoed in its entirety.

The portion of Sec. 2(a) that reads as follows has been line-item vetoed:

State foundation aid (652-00-1000-0820).....\$47,899,069

Sec. 14 has been vetoed in its entirety.

The changes made to the school finance formula in this section will have immediate devastating effects on rural schools because it will prevent them from properly planning for budgetary impacts caused by this change, precipitating funding reductions caused by declining enrollment. Should the Legislature want to make these changes to the finance formula, they should utilize the proper process and consult with affected school districts. This appropriation provision was hastily altered without the ability for districts to weigh in or consult with their elected representatives.

The items line-item vetoed in Sec. 1 and Sec. 2 ensure that our schools remain funded and that the alterations in appropriations caused by the changes to the finance formula are also removed.

The portion of Sec. 21 that reads as follows has been line-item vetoed:

72-5132,

This statutory reference to the appropriation is required to be struck, otherwise the entirety of the finance formula would be repealed from state law. In combination with Sec. 14, this line-item protects existing appropriations and ensures that the current formula remains intact.

THE GOVERNOR'S OFFICE
THE GOVERNOR
LAURA KELLY
DATED May 18, 2023

The message was received on May 18, 2023. The veto message having been received after the Senate adjourned Sine Die, there was no opportunity to reconsider the line-item vetoes on **SB 113**.

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History of Senate Bills

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Bills 1

- S 1** Bill by Senator Steffen
Prohibiting internet social media terms of service that permit censorship of speech and making violations subject to civil fines under the Kansas consumer protection act.
01/09/2023 Senate—Prefiled for Introduction on Tuesday, December 13, 2022
01/09/2023 Senate—Introduced—SJ 2
01/10/2023 Senate—Referred to Committee on Judiciary—SJ 10
01/11/2023 Senate—Withdrawn from Committee on Judiciary; Referred to Committee on Federal and State Affairs—SJ 16
- S 2** Bill by Senator Faust-Goudeau
Authorizing certain individuals with revoked driver’s licenses to be eligible for restricted driving privileges.
01/09/2023 Senate—Prefiled for Introduction on Monday, December 19, 2022
01/09/2023 Senate—Introduced—SJ 2
01/10/2023 Senate—Referred to Committee on Transportation—SJ 10
01/18/2023 Senate—Hearing: Tuesday, January 24, 2023, 8:30 AM Room 546-S
02/02/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 65
02/02/2023 Senate—Withdrawn from Calendar; Referred to Committee on Judiciary—SJ 65
- S 3** Bill by Senator Bowers
Designating Silvisaurus condrayi as the official state land fossil.
01/09/2023 Senate—Prefiled for Introduction on Tuesday, December 20, 2022
01/09/2023 Senate—Introduced—SJ 2
01/10/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 10
01/11/2023 Senate—Hearing: Wednesday, January 18, 2023, 10:30 AM Room 144-S
01/19/2023 Senate—Committee Report recommending bill be passed by Committee on Federal and State Affairs—SJ 35
02/22/2023 Senate—Committee of the Whole - Be passed—SJ 137
02/23/2023 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 160
03/01/2023 House—Received and Introduced—HJ 353
03/02/2023 House—Referred to Committee on Federal and State Affairs—HJ 360
03/02/2023 House—Hearing: Thursday, March 9, 2023, 9:00 AM Room 346-S
03/22/2023 House—Committee Report recommending bill be passed by Committee on Federal and State Affairs—HJ 483
03/27/2023 House—Committee of the Whole - Be passed—HJ 509
03/27/2023 House—Emergency Final Action - Passed; Yea: 119 Nay: 4—HJ 532
04/03/2023 Senate—Enrolled and presented to Governor on Monday, April 3, 2023—SJ 401
04/24/2023 Senate—Approved by Governor on Friday, April 7, 2023—SJ 1085
- S 4** Bill by Senator Fagg
Providing for a sales tax exemption for construction or repair of buildings used for human habitation by the Kansas state school for the blind and the Kansas state school for the deaf.
01/09/2023 Senate—Prefiled for Introduction on Tuesday, December 27, 2022
01/09/2023 Senate—Introduced—SJ 2
01/10/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 10
01/11/2023 Senate—Hearing: Thursday, January 19, 2023, 9:30 AM Room 548-S
- S 5** Bill by Senator Steffen
Prohibiting the prescribing of drugs intended to cause an abortion using telemedicine and restricting the governor’s power during a state of emergency to alter such prohibitions.
01/09/2023 Senate—Prefiled for Introduction on Thursday, December 29, 2022

Bills 2

01/09/2023 Senate—Introduced—SJ 2
01/10/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 10
02/08/2023 Senate—Hearing: Wednesday, February 15, 2023, 8:30 AM Room 142-S
02/21/2023 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 135

02/22/2023 Senate—Committee of the Whole - Be passed—SJ 140
02/23/2023 Senate—Final Action - Passed; Yea: 27 Nay: 12—SJ 160
03/01/2023 House—Received and Introduced—HJ 353

S 6

03/02/2023 House—Referred to Committee on Health and Human Services—HJ 360
Bill by Senator Steffen

Restricting the authority of the secretary of health and environment and local health officers to prevent the introduction and spread of infectious or contagious diseases; repealing the authority of the secretary to quarantine individuals and impose associated penalties.

01/09/2023 Senate—Prefiled for Introduction on Thursday, December 29, 2022
01/09/2023 Senate—Introduced—SJ 2
01/10/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 10
02/08/2023 Senate—Hearing: Monday, February 13, 2023, 8:30 AM Room 142-S
02/21/2023 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 135

02/22/2023 Senate—Committee of the Whole - Be passed—SJ 140
02/23/2023 Senate—Final Action - Passed; Yea: 22 Nay: 18—SJ 161
03/01/2023 House—Received and Introduced—HJ 353

S 7

03/02/2023 House—Referred to Committee on Health and Human Services—HJ 360
Bill by Senator Steffen

Reducing income tax rates for resident individuals domiciled in a rural equity decline county.

01/09/2023 Senate—Prefiled for Introduction on Tuesday, January 3, 2023
01/09/2023 Senate—Introduced—SJ 2

01/10/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 10
01/18/2023 Senate—Hearing: Wednesday, January 25, 2023, 9:30 AM Room 548-S

S 8

Bill by Senator Steffen

Reducing penalties for the late filing of and the failure to file personal property renditions and the discovery of escaped personal property, requiring filing only an initial statement with county appraiser for personal property, decreasing the penalties for failing to timely remit withholding income taxes of employees by employers, extending reimbursement from the taxpayer notification costs fund for printing and postage costs for county clerks for calendar year 2024, modifying and prescribing the contents of the revenue neutral rate public hearing notice, providing two prior years' values on the annual valuation notice, allowing for filing of an appraisal by a certified residential real property appraiser for appeal purposes, discontinuing the prohibition of paying taxes under protest after a valuation notice appeal, accounting for adverse influences in the valuation of agricultural land, including properties used for registered agritourism activities as land devoted to agricultural use for purposes of classification, providing a property tax exemption for certain business property operated in competition with property owned or operated by a governmental entity, providing income tax subtraction modifications to permit the carryforward of certain net operating losses for individuals and for the federal work opportunity tax credit and the employee retention credit disallowances, increasing the tax credit amount for adoption expenses and making the credit refundable, increasing the

amount of income tax credits available for purchases under the disability employment act from qualified vendors, continuing in existence such credits beyond tax year 2023 and defining qualifying vendors and eligible employees, establishing a tax credit for contributions to eligible charitable organizations operating pregnancy centers or residential maternity facilities, clarifying the determination of taxable income of an electing pass-through entity and providing for the passing through of tax credits to electing pass-through entity owners for purposes of the salt parity act, excluding social security payments from household income and expanding eligibility for seniors and disabled veterans related to increased property tax homestead refund claims, providing a sales tax exemption for sales of property and services used in the provision of communications services and excluding manufacturers' coupons from the sales or selling price.

- 01/09/2023 Senate—Prefiled for Introduction on Tuesday, January 3, 2023
- 01/09/2023 Senate—Introduced—SJ 3
- 01/10/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 10
- 01/18/2023 Senate—Hearing: Thursday, January 26, 2023, 9:30 AM Room 548-S
- 02/20/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 124
- 02/23/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 183
- 02/23/2023 Senate—Committee of the Whole - Be passed as amended—SJ 183
- 02/23/2023 Senate—Emergency Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 191
- 03/01/2023 House—Received and Introduced—HJ 353
- 03/02/2023 House—Referred to Committee on Taxation—HJ 360
- 03/08/2023 House—Hearing: Wednesday, March 15, 2023, 3:30 PM Room 346-S
- 03/23/2023 House—Committee Report recommending bill be passed as amended by Committee on Taxation—HJ 499
- 03/28/2023 House—Committee of the Whole - Committee Report be adopted—HJ 559
- 03/28/2023 House—Committee of the Whole - Be passed as amended—HJ 559
- 03/29/2023 House—Final Action - Passed as amended; Yea: 122 Nay: 2—HJ 575
- 04/03/2023 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Tyson, Senator Peck and Senator Holland as conferees—SJ 398
- 04/03/2023 House—Motion to accede adopted; Representative Smith, A., Representative Bergkamp and Representative Sawyer appointed as conferees—HJ 603
- 04/06/2023 House—Substitute motion to not adopt and appoint a conference committee failed—HJ 1158
- 04/06/2023 House—Conference Committee Report was adopted; Yea: 76 Nay: 43—HJ 1229
- 04/27/2023 Senate—Motion to suspend Joint Rule 4 (k) to allow consideration adopted;—SJ 1124
- 04/27/2023 Senate—Conference Committee Report was adopted; Yea: 26 Nay: 13—SJ 1195
- 04/28/2023 Senate—Enrolled and presented to Governor on Friday, May 5, 2023—SJ 1359
- 04/28/2023 Senate—Vetoed by Governor; Returned to Senate on Friday, May 12, 2023—SJ 1360
- 04/28/2023 Senate—The Legislature having adjourned sine die on April 28, 2023, there was no opportunity to reconsider and the veto is sustained.—SJ 1360

Bills 4

- 01/09/2023 Senate—Prefiled for Introduction on Tuesday, January 3, 2023
01/09/2023 Senate—Introduced—SJ 3
01/10/2023 Senate—Referred to Committee on Judiciary—SJ 10
- S 10** Bill by Senator Hawk
Increasing the daily rate of compensation and eliminating the annualization of compensation in determining KPERS benefits and contributions for legislators first serving on or after January 13, 2025, and providing a compensation and KPERS benefits election for legislators with service prior to January 13, 2025.
- 01/09/2023 Senate—Prefiled for Introduction on Thursday, January 5, 2023
01/09/2023 Senate—Introduced—SJ 3
01/10/2023 Senate—Referred to Committee on Ways and Means—SJ 10
- S 11** Bill by Senator Bowers
Reauthorizing the placement of a life-size version of the "Ad Astra" sculpture on state capitol grounds, transferring the approval authority to the capitol preservation committee and making appropriations for the department of administration for FY 2023.
- 01/09/2023 Senate—Prefiled for Introduction on Thursday, January 5, 2023
01/09/2023 Senate—Introduced—SJ 3
01/10/2023 Senate—Referred to Committee on Ways and Means—SJ 10
01/11/2023 Senate—Withdrawn from Committee on Ways and Means; Referred to Committee on Federal and State Affairs—SJ 16
01/18/2023 Senate—Hearing: Wednesday, January 25, 2023, 10:30 AM Room 144-S
01/31/2023 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Federal and State Affairs—SJ 57
02/09/2023 Senate—Consent Calendar Passed Yea: 39 Nay: 0—SJ 86
02/10/2023 House—Received and Introduced—HJ 205
02/13/2023 House—Referred to Committee on Legislative Modernization—HJ 207
02/14/2023 House—Hearing: Monday, February 20, 2023, 9:00 AM Room 218-N
02/20/2023 House—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Legislative Modernization—HJ 264
02/23/2023 House—Final Action - Passed; Yea: 122 Nay: 0—HJ 309
03/03/2023 Senate—Enrolled and presented to Governor on Friday, March 3, 2023—SJ 208
03/13/2023 Senate—Approved by Governor on Monday, March 13, 2023—SJ 229
- S 12** Bill by Senators Thompson, Steffen
Enacting the Kansas child mutilation prevention act to criminalize performing gender reassignment surgery or prescription of hormone replacement therapy on certain persons and providing grounds for unprofessional conduct for healing arts licensees.
- 01/09/2023 Senate—Prefiled for Introduction on Thursday, January 5, 2023
01/09/2023 Senate—Introduced—SJ 3
01/10/2023 Senate—Referred to Committee on Judiciary—SJ 10
01/11/2023 Senate—Withdrawn from Committee on Judiciary—SJ 16
01/11/2023 Senate—Referred separately to Committee on Public Health and Welfare and Committee on Judiciary—SJ 16
- S 13** Bill by Senators Hawk, Billinger
Permitting certain local broadcasters to provide broadcast services of a school's postseason activities notwithstanding if the state high school activities association enters into an exclusive broadcast agreement for postseason activities.
- 01/09/2023 Senate—Prefiled for Introduction on Friday, January 6, 2023
01/09/2023 Senate—Introduced—SJ 3

Bills 5

- 01/10/2023 Senate—Referred to Committee on Education—SJ 10
- 01/18/2023 Senate—Hearing: Monday, January 23, 2023, 1:30 PM Room 144-S
- 02/22/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Education—SJ 154
- 02/23/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 169
- 02/23/2023 Senate—Committee of the Whole - Be passed as amended—SJ 169
- 02/23/2023 Senate—Emergency Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 192
- 03/01/2023 House—Received and Introduced—HJ 353
- 03/02/2023 House—Referred to Committee on Education—HJ 360
- 03/08/2023 House—Hearing: Monday, March 13, 2023, 1:30 PM Room 218-N
- 03/21/2023 House—Committee Report recommending bill be passed as amended by Committee on Education—HJ 472
- 03/29/2023 House—Stricken from Calendar by Rule 1507—HJ 592
- S 14** Bill by Financial Institutions and Insurance
- Updating the version of risk-based capital instructions in effect.**
- 01/10/2023 Senate—Introduced—SJ 9
- 01/11/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 16
- 01/18/2023 Senate—Hearing: Tuesday, January 24, 2023, 9:30 AM Room 546-S
- 02/02/2023 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 65
- 02/09/2023 Senate—Committee of the Whole - Be passed—SJ 86
- 02/09/2023 Senate—Emergency Final Action - Passed; Yea: 39 Nay: 0—SJ 87
- 02/10/2023 House—Received and Introduced—HJ 205
- 02/13/2023 House—Referred to Committee on Insurance—HJ 207
- 03/09/2023 House—Committee Report recommending bill be passed as amended by Committee on Insurance—HJ 393
- 03/16/2023 House—Committee of the Whole - Committee Report be adopted—HJ 435
- 03/16/2023 House—Committee of the Whole - Be passed as amended—HJ 435
- 03/16/2023 House—Emergency Final Action - Passed as amended; Yea: 121 Nay: 0—HJ 435
- 03/16/2023 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Longbine, Senator Fagg and Senator Holscher as conferees—SJ 254
- 03/21/2023 House—Motion to accede adopted; Representative Sutton, Representative Penn and Representative Neighbor appointed as conferees—HJ 467
- 04/05/2023 Senate—Senator Thompson, Senator Kloos, and Senator Faust-Goudeau are appointed to replace Senator Longbine, Senator Fagg, and Senator Holscher on the Conference Committee—SJ 417
- 04/05/2023 House—Representative Proctor, Representative Waggoner, and Representative Woodard are appointed to replace Representative Sutton, Representative Penn, and Representative Neighbor on the Conference Committee—HJ 633
- 04/05/2023 House—Conference Committee Report agree to disagree adopted; Representative Proctor, Representative Waggoner and Representative Woodard appointed as second conferees—HJ 633
- 04/05/2023 Senate—Conference Committee Report agree to disagree adopted; Senator Thompson, Senator Kloos and Senator Faust-Goudeau appointed as second conferees—SJ 453

S 15 Bill by Financial Institutions and Insurance

Removing the requirement of a documented written demand for premiums as part of a prima facie case against agents or brokers who fail to pay premiums

Bills 6

due.

- 01/10/2023 Senate—Introduced—SJ 9
01/11/2023 Senate—Referred to Committee on Financial Institutions and Insurance—
SJ 16
01/18/2023 Senate—Hearing: Thursday, January 26, 2023, 9:30 AM Room 546-S
02/02/2023 Senate—Committee Report recommending bill be passed by Committee on
Financial Institutions and Insurance—SJ 65
02/09/2023 Senate—Committee of the Whole - Be passed—SJ 86
02/09/2023 Senate—Emergency Final Action - Passed; Yea: 39 Nay: 0—SJ 87
02/10/2023 House—Received and Introduced—HJ 205
02/13/2023 House—Referred to Committee on Insurance—HJ 207
03/09/2023 House—Committee Report recommending bill be passed as amended by
Committee on Insurance—HJ 393
03/23/2023 House—Committee of the Whole - Committee Report be adopted—HJ 493
03/23/2023 House—Committee of the Whole - Be passed as amended—HJ 493
03/23/2023 House—Emergency Final Action - Passed as amended; Yea: 104 Nay: 18—
HJ 494
03/23/2023 Senate—Nonconcurrent with amendments; Conference Committee
requested; appointed Senator Longbine, Senator Fagg and Senator Holscher as
conferees—SJ 289
03/27/2023 House—Motion to accede adopted; Representative Sutton, Representative
Penn and Representative Neighbor appointed as conferees—HJ 509
- S 16** Bill by Financial Institutions and Insurance
Discontinuing certain exemptions from the pharmacy benefits manager act.
01/10/2023 Senate—Introduced—SJ 9
01/11/2023 Senate—Referred to Committee on Financial Institutions and Insurance—
SJ 16
- S 17** Bill by Financial Institutions and Insurance
**Expanding the use of bond proceeds under the Kansas reinvestment housing
incentive district act and the transferability of income, privilege and
premium tax credits issued under the Kansas housing investor tax credit
act.**
01/10/2023 Senate—Introduced—SJ 9
01/11/2023 Senate—Referred to Committee on Financial Institutions and Insurance—
SJ 16
01/11/2023 Senate—Hearing: Thursday, January 19, 2023, 9:30 AM Room 546-S
02/02/2023 Senate—Committee Report recommending bill be passed by Committee on
Financial Institutions and Insurance—SJ 65
02/09/2023 Senate—Committee of the Whole - Be passed—SJ 86
02/09/2023 Senate—Emergency Final Action - Passed; Yea: 39 Nay: 0—SJ 87
02/10/2023 House—Received and Introduced—HJ 205
02/13/2023 House—Referred to Committee on Insurance—HJ 207
03/09/2023 House—Committee Report recommending bill be passed as amended by
Committee on Insurance—HJ 393
03/27/2023 House—Committee of the Whole - Committee Report be adopted—HJ 509
03/27/2023 House—Committee of the Whole - Be passed as amended—HJ 509
03/27/2023 House—Emergency Final Action - Passed as amended; Yea: 117 Nay: 6—
HJ 534
03/28/2023 Senate—Nonconcurrent with amendments; Conference Committee
requested; appointed Senator Longbine, Senator Fagg and Senator Holscher as
conferees—SJ 360
03/29/2023 House—Motion to accede adopted; Representative Sutton, Representative
Penn and Representative Neighbor appointed as conferees—HJ 588

Bills 7

- 04/05/2023 House—Representative Hoheisel, Representative Williams, L., and Representative Xu are appointed to replace Representative Sutton, Representative Penn, and Representative Neighbor on the Conference Committee—HJ 621
- 04/06/2023 House—Conference Committee Report was adopted; Yea: 63 Nay: 59—HJ 675
- 04/06/2023 Senate—Conference Committee Report was adopted; Yea: 31 Nay: 9—SJ 503
- 04/24/2023 Senate—Enrolled and presented to Governor on Friday, April 14, 2023—SJ 1085
- S 18** 04/24/2023 Senate—Approved by Governor on Thursday, April 20, 2023—SJ 396
Bill by Financial Institutions and Insurance
Adding certain legal entities to the definition of "person" thereby making such entities subject to penalties for violations of insurance law.
- 01/10/2023 Senate—Introduced—SJ 9
- 01/11/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 16
- 01/18/2023 Senate—Hearing: Tuesday, January 24, 2023, 9:30 AM Room 546-S
- 02/14/2023 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 98
- 02/15/2023 Senate—Committee of the Whole - Be passed—SJ 105
- 02/15/2023 Senate—Emergency Final Action - Passed; Yea: 38 Nay: 0—SJ 106
- 02/16/2023 House—Received and Introduced—HJ 235
- 02/17/2023 House—Referred to Committee on Insurance—HJ 251
- 03/09/2023 House—Committee Report recommending bill be passed as amended by Committee on Insurance—HJ 393
- 03/23/2023 House—Committee of the Whole - Committee Report be adopted—HJ 493
- 03/23/2023 House—Committee of the Whole - Be passed as amended—HJ 493
- 03/23/2023 House—Emergency Final Action - Passed as amended; Yea: 104 Nay: 18—HJ 494
- 03/23/2023 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Longbine, Senator Fagg and Senator Holscher as conferees—SJ 289
- 03/27/2023 House—Motion to accede adopted; Representative Sutton, Representative Penn and Representative Neighbor appointed as conferees—HJ 509
- S 19** Bill by Financial Institutions and Insurance
Requiring certain premium taxes to be paid 90 days after each calendar year and basing such premium taxes upon the gross premiums collected for the previous calendar year.
- 01/10/2023 Senate—Introduced—SJ 9
- 01/11/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 16
- 01/18/2023 Senate—Hearing: Thursday, January 26, 2023, 9:30 AM Room 546-S
- 02/02/2023 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 65
- 02/09/2023 Senate—Committee of the Whole - Be passed—SJ 86
- 02/09/2023 Senate—Emergency Final Action - Passed; Yea: 39 Nay: 0—SJ 88
- 02/10/2023 House—Received and Introduced—HJ 205
- 02/13/2023 House—Referred to Committee on Insurance—HJ 207
- 03/09/2023 House—Committee Report recommending bill be passed as amended by Committee on Insurance—HJ 393
- 03/16/2023 House—Committee of the Whole - Committee Report be adopted—HJ 435
- 03/16/2023 House—Committee of the Whole - Be passed as amended—HJ 435

Bills 8

- 03/16/2023 House—Emergency Final Action - Passed as amended; Yea: 121 Nay: 0—HJ 436
- 03/16/2023 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Longbine, Senator Fagg and Senator Holscher as conferees—SJ 254
- 03/21/2023 House—Motion to accede adopted; Representative Sutton, Representative Penn and Representative Neighbor appointed as conferees—HJ 467
- S 20** Bill by Senators Steffen, Thompson
Requiring child care facilities, elementary, secondary, postsecondary educational institutions and employers to grant exemptions from vaccine requirements without inquiring into the sincerity of the request and repealing the meningitis vaccine requirement to live in student housing.
- 01/10/2023 Senate—Introduced—SJ 10
- 01/11/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 16
- 02/23/2023 Senate—Withdrawn from Committee on Public Health and Welfare; Referred to Committee on Ways and Means—SJ 198
- 03/01/2023 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Public Health and Welfare—SJ 203
- S 21** Bill by Assessment and Taxation
Providing an annual sales tax holiday for sales of certain school supplies.
- 01/10/2023 Senate—Introduced—SJ 10
- 01/11/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 16
- 01/11/2023 Senate—Hearing: Thursday, January 19, 2023, 9:30 AM Room 548-S
- S 22** Bill by Assessment and Taxation
Providing a sales tax exemption for certain purchases and sales by the Johnson county Christmas bureau association.
- 01/10/2023 Senate—Introduced—SJ 10
- 01/11/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 16
- 01/18/2023 Senate—Hearing: Wednesday, January 25, 2023, 9:30 AM Room 548-S
- S 23** Bill by Joint Committee on Pensions, Investments and Benefits
Eliminating the statutory 15% alternative investment limit for the KPERS fund and requiring the KPERS board to establish an alternative investment percentage limit.
- 01/11/2023 Senate—Introduced—SJ 15
- 01/12/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 20
- 01/25/2023 Senate—Hearing: Wednesday, February 1, 2023, 9:30 AM Room 546-S
- 02/02/2023 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 65
- 02/15/2023 Senate—Committee of the Whole - Passed over and retain a place on the calendar—SJ 105
- 02/23/2023 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 198
- 03/01/2023 Senate—Withdrawn from Committee on Ways and Means and re-referred to Committee of the Whole—SJ 203
- 03/29/2023 Senate—Committee of the Whole - Passed over and retain a place on the calendar—SJ 386
- S 24** Bill by Financial Institutions and Insurance
Changing the required number of employees contained in the definitions of "large employer" and "small employer" for purposes of coverage for autism spectrum disorder.
- 01/11/2023 Senate—Introduced—SJ 15
- 01/12/2023 Senate—Referred to Committee on Financial Institutions and Insurance—

Bills 9

SJ 20

02/15/2023 Senate—Hearing: Monday, February 20, 2023, 9:30 AM Room 546-S
02/21/2023 Senate—Committee Report recommending bill be passed by Committee on
Financial Institutions and Insurance—SJ 130
02/23/2023 Senate—Committee of the Whole - Be passed—SJ 169
02/23/2023 Senate—Emergency Final Action - Passed; Yea: 38 Nay: 1—SJ 192
03/01/2023 House—Received and Introduced—HJ 353
03/02/2023 House—Referred to Committee on Insurance—HJ 360
03/06/2023 House—Hearing: Wednesday, March 8, 2023, 3:30 PM Room 218-N
03/14/2023 House—Committee Report recommending bill be passed and placed on
Consent Calendar by Committee on Insurance—HJ 411
03/21/2023 House—Final Action - Passed; Yea: 111 Nay: 7—HJ 469
03/24/2023 Senate—Enrolled and presented to Governor on Friday, March 24, 2023—
SJ 320

04/03/2023 Senate—Approved by Governor on Friday, March 31, 2023
Bill by Financial Institutions and Insurance

**Making and concerning appropriations for fiscal years 2023, 2024, 2025, 2026,
2027 and 2028 for various state agencies; constituting the omnibus
reconciliation spending limit bill for the 2023 regular session.**

01/11/2023 Senate—Introduced—SJ 15
01/12/2023 Senate—Referred to Committee on Financial Institutions and Insurance—
SJ 20
01/25/2023 Senate—Hearing: Tuesday, January 31, 2023, 9:30 AM Room 546-S
02/02/2023 Senate—Committee Report recommending bill be passed as amended by
Committee on Financial Institutions and Insurance—SJ 65
02/09/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 86
02/09/2023 Senate—Committee of the Whole - Amendment by Senator Longbine was
adopted—SJ 86
02/09/2023 Senate—Committee of the Whole - Be passed as further amended—SJ 86
02/09/2023 Senate—Emergency Final Action - Passed as amended; Yea: 39 Nay: 0—SJ
88
02/13/2023 House—Received and Introduced—HJ 208
02/14/2023 House—Referred to Committee on Insurance—HJ 218
02/21/2023 House—Hearing: Wednesday, March 1, 2023, 3:30 PM Room 218-N
03/14/2023 House—Committee Report recommending bill be passed as amended by
Committee on Insurance—HJ 411
03/27/2023 House—Committee of the Whole - Committee Report be adopted—HJ 509
03/27/2023 House—Committee of the Whole - Be passed as amended—HJ 509
03/27/2023 House—Emergency Final Action - Passed as amended; Yea: 119 Nay: 4—
HJ 534
04/03/2023 Senate—Nonconcurrent with amendments; Conference Committee
requested; appointed Senator Longbine, Senator Fagg and Senator Holscher as
conferees—SJ 398
04/03/2023 House—Motion to accede adopted; Representative Sutton, Representative
Penn and Representative Neighbor appointed as conferees—HJ 603
04/25/2023 House—Representative Waymaster, Representative Hoffman, and
Representative Helgerson are appointed to replace Representative Sutton,
Representative Penn, and Representative Neighbor on the Conference
Committee—HJ 1287
04/25/2023 Senate—Senator Billinger, Senator Claeys, and Senator Pettey are
appointed to replace Senator Longbine, Senator Fagg, and Senator Holscher
on the Conference Committee—SJ 1087
04/28/2023 House—Conference Committee Report was adopted; Yea: 91 Nay: 29—HJ

Bills 10

1511

- 04/28/2023 Senate—Conference Committee Report was adopted; Yea: 29 Nay: 10—SJ 1335
- 04/28/2023 Senate—Enrolled and presented to Governor on Friday, May 5, 2023—SJ 1359
- 04/28/2023 Senate—Approved by Governor except line item veto of 5; 6; 37(a) (part); 40; 47(a) (part); 47(c); 53 on Monday, May 15, 2023—SJ 1360
- 04/28/2023 Senate—The Legislature having adjourned sine die on April 28, 2023, there was no opportunity to reconsider and the line-item vetoes are sustained.—SJ 1366

S 26

Bill by Financial Institutions and Insurance

Creating a civil cause of action against a physician who performs childhood gender reassignment service and requiring revocation of a physician's license who performs childhood gender reassignment service.

- 01/11/2023 Senate—Introduced—SJ 15
- 01/12/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 20
- 01/18/2023 Senate—Hearing: Wednesday, January 25, 2023, 9:30 AM Room 546-S
- 02/02/2023 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 65
- 02/09/2023 Senate—Committee of the Whole - Be passed—SJ 86
- 02/09/2023 Senate—Emergency Final Action - Passed; Yea: 38 Nay: 1—SJ 88
- 02/10/2023 House—Received and Introduced—HJ 205
- 02/13/2023 House—Referred to Committee on Insurance—HJ 207
- 03/09/2023 House—Committee Report recommending bill be passed as amended by Committee on Insurance—HJ 393
- 03/16/2023 House—Committee of the Whole - Committee Report be adopted—HJ 435
- 03/16/2023 House—Committee of the Whole - Be passed as amended—HJ 435
- 03/16/2023 House—Emergency Final Action - Passed as amended; Yea: 121 Nay: 0—HJ 436
- 03/16/2023 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Longbine, Senator Fagg and Senator Holscher as conferees—SJ 254
- 03/21/2023 House—Motion to accede adopted; Representative Sutton, Representative Penn and Representative Neighbor appointed as conferees—HJ 467
- 04/05/2023 Senate—Senator Gossage, Senator Erickson, and Senator Pettey are appointed to replace Senator Longbine, Senator Fagg, and Senator Holscher on the Conference Committee—SJ 417
- 04/06/2023 House—Representative Carpenter, W., Representative Humphries, and Representative Hoye are appointed to replace Representative Sutton, Representative Penn, and Representative Neighbor on the Conference Committee—HJ 671
- 04/06/2023 House—Conference Committee Report agree to disagree adopted; Representative Carpenter, W., Representative Humphries and Representative Hoye appointed as second conferees—HJ 1100
- 04/06/2023 Senate—Conference Committee Report agree to disagree adopted; Senator Gossage, Senator Erickson and Senator Pettey appointed as second conferees—SJ 850
- 04/06/2023 House—Conference Committee Report was adopted; Yea: 70 Nay: 52—HJ 1130
- 04/06/2023 Senate—Conference Committee Report was adopted; Yea: 23 Nay: 12—SJ 1079
- 04/24/2023 Senate—Enrolled and presented to Governor on Friday, April 14, 2023—SJ

1085

04/24/2023 Senate—Vetoed by Governor; Returned to Senate on Thursday, April 20, 2023—SJ 1094

04/26/2023 Senate—Motion to override veto failed; Veto sustained; Yea: 26 Nay: 14—SJ 1097

S 27 Bill by Financial Institutions and Insurance

Authorizing the commissioner of insurance to set the amount of certain fees.

01/11/2023 Senate—Introduced—SJ 15

01/12/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 20

02/08/2023 Senate—Hearing: Wednesday, February 15, 2023, 9:30 AM Room 546-S

02/21/2023 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 130

02/22/2023 Senate—Committee of the Whole - Be passed—SJ 137

02/23/2023 Senate—Final Action - Passed; Yea: 38 Nay: 2—SJ 161

03/01/2023 House—Received and Introduced—HJ 353

03/02/2023 House—Referred to Committee on Insurance—HJ 360

03/09/2023 House—Committee Report recommending bill be passed as amended by Committee on Insurance—HJ 394

03/27/2023 House—Committee of the Whole - Committee Report be adopted—HJ 527

03/27/2023 House—Committee of the Whole - Be passed as amended—HJ 527

03/27/2023 House—Emergency Final Action - Passed as amended; Yea: 118 Nay: 5—HJ 542

03/28/2023 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Longbine, Senator Fagg and Senator Holscher as conferees—SJ 360

03/29/2023 House—Motion to accede adopted; Representative Sutton, Representative Penn and Representative Neighbor appointed as conferees—HJ 588

S 28 Bill by Financial Institutions and Insurance

Discontinuing payments to certain group-funded insurance pools, refunding existing balances thereof and abolishing such funds and establishing the group-funded pools refund fund.

01/11/2023 Senate—Introduced—SJ 15

01/12/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 20

02/08/2023 Senate—Hearing: Wednesday, February 15, 2023, 9:30 AM Room 546-S

02/21/2023 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 130

02/22/2023 Senate—Committee of the Whole - Be passed—SJ 137

02/23/2023 Senate—Final Action - Passed; Yea: 39 Nay: 1—SJ 162

03/01/2023 House—Received and Introduced—HJ 353

03/02/2023 House—Referred to Committee on Insurance—HJ 360

03/06/2023 House—Hearing: Wednesday, March 8, 2023, 3:30 PM Room 218-N

03/14/2023 House—Committee Report recommending bill be passed as amended by Committee on Insurance—HJ 411

03/23/2023 House—Committee of the Whole - Committee Report be adopted—HJ 493

03/23/2023 House—Committee of the Whole - Be passed as amended—HJ 493

03/23/2023 House—Emergency Final Action - Passed as amended; Yea: 106 Nay: 16—HJ 495

03/23/2023 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Longbine, Senator Fagg and Senator Holscher as conferees—SJ 289

03/27/2023 House—Motion to accede adopted; Representative Sutton, Representative

Bills 12

- Penn and Representative Neighbor appointed as conferees—HJ 509
- S 29** Bill by Senators Peck, Bowers, Claeys, Doll, Faust-Goudeau, Petersen
Providing a back-to-school sales tax holiday for sales of school supplies, computers and clothing.
01/11/2023 Senate—Introduced—SJ 15
01/12/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 20
01/18/2023 Senate—Hearing: Thursday, January 19, 2023, 9:30 AM Room 548-S
- S 30** Bill by Assessment and Taxation
Increasing the Kansas standard deduction by a cost-of-living adjustment for income tax purposes.
01/11/2023 Senate—Introduced—SJ 16
01/12/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 20
01/18/2023 Senate—Hearing: Wednesday, January 25, 2023, 9:30 AM Room 548-S
02/08/2023 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 80
- S 31** Bill by Education
Reapportioning the districts of certain members of the Washburn university board of regents who are appointed by the city of Topeka.
01/12/2023 Senate—Introduced—SJ 20
01/13/2023 Senate—Referred to Committee on Education—SJ 21
- S 32** Bill by Education
Authorizing the Kansas state high school activities association to establish a school classification system based on student attendance and other factors.
01/12/2023 Senate—Introduced—SJ 20
01/13/2023 Senate—Referred to Committee on Education—SJ 21
- S 33** Bill by Assessment and Taxation
Exempting all social security benefits from Kansas income tax, providing income tax subtraction modifications for retirement plan amounts, federal work opportunity tax credit and employee retention credit disallowances and the carryforward of certain net operating losses, increasing the Kansas standard deduction by a cost-of-living adjustment and excluding social security payments from household income and increasing the appraised value threshold for eligibility of seniors and disabled veterans related to increased homestead property tax refund claims.
01/12/2023 Senate—Introduced—SJ 20
01/13/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 21
02/01/2023 Senate—Hearing: Tuesday, February 7, 2023, 9:30 AM Room 548-S
02/08/2023 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 80
02/23/2023 Senate—Committee of the Whole - Amendment by Senator Thompson was adopted Yea: 35 Nay: 2—SJ 184
02/23/2023 Senate—Committee of the Whole - Amendment by Senator Tyson was adopted—SJ 184
02/23/2023 Senate—Committee of the Whole - Amendment by Senator Holland was adopted—SJ 184
02/23/2023 Senate—Committee of the Whole - Amendment by Senator Tyson was adopted—SJ 186
02/23/2023 Senate—Committee of the Whole - Amendment by Senator Tyson was adopted—SJ 186
02/23/2023 Senate—Committee of the Whole - Amendment by Senator Francisco was rejected Yea: 12 Nay: 26—SJ 186
02/23/2023 Senate—Committee of the Whole - Be passed as amended—SJ 186
02/23/2023 Senate—Emergency Final Action - Passed as amended; Yea: 36 Nay: 3—SJ

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- 03/01/2023 House—Received and Introduced—HJ 353
 03/02/2023 House—Referred to Committee on Taxation—HJ 360
 03/08/2023 House—Hearing: Tuesday, March 14, 2023, 3:30 PM Room 346-S
S 34 Bill by Federal and State Affairs
Expanding the use of bond proceeds under the Kansas rural housing incentive district act, the transferability of income, privilege and premium tax credits issued under the Kansas housing investor tax credit act and enacting the Kansas urban housing incentive district act.
 01/17/2023 Senate—Introduced—SJ 23
 01/18/2023 Senate—Referred to Committee on Commerce—SJ 27
 01/18/2023 Senate—Withdrawn from Committee on Commerce; Referred to Committee on Financial Institutions and Insurance—SJ 27
 02/01/2023 Senate—Hearing: Wednesday, February 8, 2023, 9:30 AM Room 546-S
 02/14/2023 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 98
 02/22/2023 Senate—Committee of the Whole - Be passed—SJ 140
 02/23/2023 Senate—Final Action - Passed; Yea: 30 Nay: 6—SJ 162
 03/01/2023 House—Received and Introduced—HJ 353
 03/02/2023 House—Referred to Committee on Financial Institutions and Pensions—HJ 360
 03/08/2023 House—Hearing: Wednesday, March 15, 2023, 9:00 AM Room 582-N
 03/23/2023 House—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Pensions—HJ 496
 03/28/2023 House—Committee of the Whole - Passed over and retain a place on the calendar—HJ 560
S 35 Bill by Federal and State Affairs
Increasing the rate of compensation for legislators for service during regular and special sessions and the interim period between regular sessions.
 01/17/2023 Senate—Introduced—SJ 23
 01/18/2023 Senate—Referred to Committee on Ways and Means—SJ 27
S 36 Bill by Federal and State Affairs
Amending the definition of ancestry in the Kansas act against discrimination to include traits historically associated with ancestry, including hair texture and protective hairstyles.
 01/17/2023 Senate—Introduced—SJ 23
 01/18/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 27
S 37 Bill by Federal and State Affairs
Expanding the transferability of income, privilege and premium tax credits issued under the Kansas housing investor tax credit act.
 01/17/2023 Senate—Introduced—SJ 23
 01/18/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 27
 01/18/2023 Senate—Withdrawn from Committee on Assessment and Taxation; Referred to Committee on Financial Institutions and Insurance—SJ 27
 02/01/2023 Senate—Hearing: Wednesday, February 8, 2023, 9:30 AM Room 546-S
 02/14/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Insurance—SJ 99
 02/23/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 183
 02/23/2023 Senate—Committee of the Whole - Be passed as amended—SJ 183
 02/23/2023 Senate—Emergency Final Action - Passed as amended; Yea: 35 Nay: 4—SJ 193
 03/01/2023 House—Received and Introduced—HJ 353
 03/02/2023 House—Referred to Committee on Financial Institutions and Pensions—HJ

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- S 38** 03/08/2023 House—Hearing: Wednesday, March 15, 2023, 9:00 AM Room 582-N
Bill by Federal and State Affairs
Increasing the maximum compensation benefits payable by an employer for permanent total disability suffered by an injured employee.
01/17/2023 Senate—Introduced—SJ 23
01/18/2023 Senate—Referred to Committee on Commerce—SJ 27
03/27/2023 Senate—Hearing: Wednesday, March 29, 2023, 8:00 AM Room 546-S
- S 39** Bill by Federal and State Affairs
Directing the capitol preservation committee to develop and approve plans for a mural honoring the 1st Kansas (Colored) Voluntary Infantry regiment.
01/17/2023 Senate—Introduced—SJ 23
01/18/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 27
01/18/2023 Senate—Hearing: Wednesday, January 25, 2023, 10:30 AM Room 144-S
01/31/2023 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Federal and State Affairs—SJ 57
02/09/2023 Senate—Consent Calendar Passed Yea: 39 Nay: 0—SJ 86
02/10/2023 House—Received and Introduced—HJ 205
02/10/2023 House—Hearing: Thursday, February 16, 2023, 9:00 AM Room 281-N
02/13/2023 House—Referred to Committee on Veterans and Military—HJ 207
02/20/2023 House—Committee Report recommending bill be passed by Committee on Veterans and Military—HJ 271
03/01/2023 House—Committee of the Whole - Be passed—HJ 355
03/02/2023 House—Final Action - Passed; Yea: 122 Nay: 0—HJ 362
03/06/2023 Senate—Enrolled and presented to Governor on Monday, March 6, 2023—SJ 212
03/13/2023 Senate—Approved by Governor on Monday, March 13, 2023—SJ 229
- S 40** Bill by Assessment and Taxation
Permitting the carryforward of certain net operating losses for individuals for Kansas income tax purposes and excluding social security payments from household income and increasing the appraised value and household income thresholds for eligibility of seniors and disabled veterans related to increased property tax homestead claims.
01/17/2023 Senate—Introduced—SJ 23
01/18/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 27
01/18/2023 Senate—Hearing: Thursday, January 26, 2023, 9:30 AM Room 548-S
02/08/2023 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 80
03/28/2023 Senate—Committee of the Whole - Amendment by Senator Tyson was adopted—SJ 362
03/28/2023 Senate—Committee of the Whole - Be passed as amended—SJ 362
03/29/2023 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 369
04/03/2023 House—Received and Introduced—HJ 594
04/04/2023 House—Referred to Committee on Taxation—HJ 610
- S 41** Bill by Assessment and Taxation
Providing a remittance credit to retailers for the collection of sales and compensating use tax.
01/17/2023 Senate—Introduced—SJ 24
01/18/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 27
01/18/2023 Senate—Hearing: Thursday, January 26, 2023, 9:30 AM Room 548-S
02/16/2023 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 116
- S 42** Bill by Appropriations

House Substitute for SB 42 by Committee on Appropriations - Exempting rural emergency hospitals from the hospital provider assessment and establishing residency and other requirements for membership on a hospital board.

- 01/18/2023 Senate—Introduced—SJ 26
- 01/19/2023 Senate—Referred to Committee on Ways and Means—SJ 31
- 01/25/2023 Senate—Hearing: Tuesday, January 31, 2023, 10:30 AM Room 548-S
- 02/07/2023 Senate—Committee Report recommending bill be passed by Committee on Ways and Means—SJ 73
- 02/09/2023 Senate—Committee of the Whole - Be passed—SJ 86
- 02/09/2023 Senate—Emergency Final Action - Passed; Yea: 39 Nay: 0—SJ 89
- 02/10/2023 House—Received and Introduced—HJ 205
- 02/13/2023 House—Referred to Committee on Appropriations—HJ 207
- 03/01/2023 House—Hearing: Wednesday, March 8, 2023, 9:00 AM Room 112-N
- 03/24/2023 House—Committee Report recommending substitute bill be passed by Committee on Appropriations—HJ 506
- 03/28/2023 House—Committee of the Whole - Committee Report be adopted recommending substitute bill be passed—HJ 552
- 03/28/2023 House—Committee of the Whole - Amendment by Representative Blew was adopted—HJ 552
- 03/28/2023 House—Committee of the Whole - Amendment by Representative Waymaster was adopted—HJ 552
- 03/28/2023 House—Committee of the Whole - Amendment by Representative Helgerson was rejected—HJ 554
- 03/28/2023 House—Committee of the Whole - Amendment by Representative Owens was adopted Yea: 75 Nay: 46—HJ 554
- 03/28/2023 House—Representative Waymaster challenged the amendment under the Pay-Go provision of House Rule 2110. The amendment was ruled to be in order.—HJ 555
- 03/28/2023 House—Committee of the Whole - Amendment by Representative Miller, V. was adopted Yea: 83 Nay: 40—HJ 555
- 03/28/2023 House—Committee of the Whole - Amendment by Representative Probst was adopted—HJ 556
- 03/28/2023 House—Committee of the Whole - Substitute bill be passed as amended—HJ 556
- 03/29/2023 House—Final Action - Substitute passed as amended; Yea: 103 Nay: 21—HJ 576
- 04/03/2023 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Billinger, Senator Claeys and Senator Pettey as conferees—SJ 398
- 04/03/2023 House—Motion to accede adopted; Representative Waymaster, Representative Hoffman and Representative Helgerson appointed as conferees—HJ 603
- 04/06/2023 House—Conference Committee Report was adopted; Yea: 82 Nay: 41—HJ 685
- 04/06/2023 Senate—Conference Committee Report was adopted; Yea: 38 Nay: 1—SJ 809
- 04/24/2023 Senate—Enrolled and presented to Governor on Friday, April 14, 2023—SJ 1085
- 04/24/2023 Senate—Approved by Governor on Thursday, April 20, 2023—SJ 1085

S 43

**Bill by Public Health and Welfare
Making and concerning appropriations for the university of Kansas medical center for fiscal years 2023, 2024 and 2025 for conducting certain clinical**

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trials at the midwest stem cell therapy center.

- 01/18/2023 Senate—Introduced—SJ 26
- 01/19/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 31
- S 44** Bill by Financial Institutions and Insurance
Enacting the Kansas financial institutions information security act.
- 01/18/2023 Senate—Introduced—SJ 26
- 01/19/2023 Senate—Referred to Committee on Financial Institutions and Insurance—
SJ 31
- 02/01/2023 Senate—Hearing: Tuesday, February 7, 2023, 9:30 AM Room 546-S
- 02/14/2023 Senate—Committee Report recommending bill be passed as amended by
Committee on Financial Institutions and Insurance—SJ 99
- 02/15/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 105
- 02/15/2023 Senate—Committee of the Whole - Be passed as amended—SJ 105
- 02/15/2023 Senate—Emergency Final Action - Passed as amended; Yea: 33 Nay: 5—SJ
106
- 02/17/2023 House—Received and Introduced—HJ 251
- 02/20/2023 House—Referred to Committee on Financial Institutions and Pensions—HJ
260
- 03/01/2023 House—Hearing: Monday, March 6, 2023, 9:00 AM Room 582-N
- 03/14/2023 House—Committee Report recommending bill be passed by Committee on
Financial Institutions and Pensions—HJ 409
- 03/27/2023 House—Committee of the Whole - Amendment by Representative Hoheisel
was adopted—HJ 509
- 03/27/2023 House—Committee of the Whole - Be passed as amended—HJ 509
- 03/27/2023 House—Emergency Final Action - Passed as amended; Yea: 114 Nay: 9—
HJ 535
- 03/28/2023 Senate—Nonconcurrent with amendments; Conference Committee
requested; appointed Senator Longbine, Senator Fagg and Senator Pittman as
conferees—SJ 360
- 03/29/2023 House—Motion to accede adopted; Representative Hoheisel,
Representative Clifford and Representative Xu appointed as conferees—HJ
588
- 04/03/2023 House—Representative Williams, L. is appointed to replace Representative
Clifford on the Conference Committee—HJ 597
- 04/05/2023 Senate—Concurred with amendments in conference; Yea: 36 Nay: 4—SJ
421
- 04/24/2023 Senate—Enrolled and presented to Governor on Friday, April 14, 2023—SJ
1085
- 04/24/2023 Senate—Approved by Governor on Thursday, April 20, 2023
- S 45** Bill by Ways and Means
**Updating income eligibility requirements for the state children's health insurance
program.**
- 01/18/2023 Senate—Introduced—SJ 26
- 01/19/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 31
- 02/08/2023 Senate—Hearing: Monday, February 13, 2023, 8:30 AM Room 142-S
- S 46** Bill by Utilities
**Requiring existing wind energy conversion systems to install light-mitigating
technology systems.**
- 01/18/2023 Senate—Introduced—SJ 26
- 01/19/2023 Senate—Hearing continuation: Thursday, January 26, 2023, 1:30 PM Room
548-S
- 01/19/2023 Senate—Hearing: Wednesday, January 25, 2023, 1:30 PM Room 548-S
- 01/19/2023 Senate—Referred to Committee on Utilities—SJ 31

- S 47 Bill by Commerce
Prohibiting cities and counties from regulating consumer merchandise and auxiliary containers for the consumption, transportation or protection of consumer merchandise.
 01/18/2023 Senate—Introduced—SJ 26
 01/19/2023 Senate—Referred to Committee on Commerce—SJ 31
 01/25/2023 Senate—Hearing: Tuesday, January 31, 2023, 10:30 AM Room 546-S
- S 48 Bill by Education
Authorizing community college and technical college appointments to the postsecondary technical education authority and establishing the length of membership terms.
 01/18/2023 Senate—Introduced—SJ 26
 01/19/2023 Senate—Referred to Committee on Education—SJ 31
- S 49 Bill by Utilities
Requiring installation of light-mitigating technology systems on new and existing wind energy conversion systems subject to certain conditions.
 01/18/2023 Senate—Introduced—SJ 26
 01/19/2023 Senate—Hearing continuation: Thursday, January 26, 2023, 1:30 PM Room 548-S
 01/19/2023 Senate—Hearing: Wednesday, January 25, 2023, 1:30 PM Room 548-S
 01/19/2023 Senate—Referred to Committee on Utilities—SJ 31
 02/20/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Utilities—SJ 126
 02/22/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 141
 02/22/2023 Senate—Committee of the Whole - Amendment by Senator Francisco was adopted—SJ 141
 02/22/2023 Senate—Committee of the Whole - Be passed as further amended—SJ 141
 02/23/2023 Senate—Final Action - Passed as amended; Yea: 39 Nay: 1—SJ 162
 03/01/2023 House—Received and Introduced—HJ 353
 03/02/2023 House—Referred to Committee on Energy, Utilities and Telecommunications—HJ 360
 03/07/2023 House—Hearing: Thursday, March 16, 2023, 9:00 AM Room 582-N
 03/23/2023 House—Committee Report recommending bill be passed by Committee on Energy, Utilities and Telecommunications—HJ 496
 03/28/2023 House—Committee of the Whole - Be passed—HJ 552
 03/29/2023 House—Final Action - Passed; Yea: 118 Nay: 6—HJ 576
 04/04/2023 Senate—Enrolled and presented to Governor on Tuesday, April 4, 2023—SJ 415
 04/24/2023 Senate—Approved by Governor on Thursday, April 13, 2023—SJ 1085
- S 50 Bill by Senators Steffen, Straub, Thompson
Prohibiting internet social media terms of service that permit censorship of speech.
 01/18/2023 Senate—Introduced—SJ 26
 01/19/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 31
 01/25/2023 Senate—Hearing: Wednesday, February 1, 2023, 10:30 AM Room 144-S
 02/13/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 94
 03/28/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 365
 03/28/2023 Senate—Committee of the Whole - Referred to Committee on Judiciary—SJ 365
- S 51 Bill by Financial Institutions and Insurance
Authorizing the state bank commissioner to accept state and national criminal history record checks from private entities.

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- 01/18/2023 Senate—Introduced—SJ 26
01/19/2023 Senate—Referred to Committee on Financial Institutions and Insurance—
SJ 31
02/01/2023 Senate—Hearing: Tuesday, February 7, 2023, 9:30 AM Room 546-S
02/14/2023 Senate—Committee Report recommending bill be passed by Committee on
Financial Institutions and Insurance—SJ 98
02/16/2023 Senate—Committee of the Whole - Passed over and retain a place on the
calendar—SJ 114
02/16/2023 Senate—Withdrawn from Calendar; Referred to Committee on Ways and
Means—SJ 116
02/20/2023 Senate—Withdrawn from Committee on Ways and Means and re-referred
to Committee of the Whole—SJ 121
04/04/2023 Senate—Withdrawn from Calendar, Rereferred to Committee on Financial
Institutions and Insurance—SJ 406
- S 52** Bill by Assessment and Taxation
**Increasing the income limit for the exemption of social security benefits and
exempting certain retirement plan income from Kansas income tax.**
01/18/2023 Senate—Introduced—SJ 26
01/19/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 31
02/01/2023 Senate—Hearing: Tuesday, February 7, 2023, 9:30 AM Room 548-S
- S 53** Bill by Assessment and Taxation
**Excluding manufacturers' coupons from the sales or selling price for sales tax
purposes.**
01/18/2023 Senate—Introduced—SJ 27
01/19/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 31
01/25/2023 Senate—Hearing: Thursday, February 2, 2023, 9:30 AM Room 548-S
02/08/2023 Senate—Committee Report recommending bill be passed as amended by
Committee on Assessment and Taxation—SJ 80
03/08/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 218
03/08/2023 Senate—Committee of the Whole - Be passed as amended—SJ 218
03/09/2023 Senate—Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 221
03/13/2023 House—Received and Introduced—HJ 397
03/14/2023 House—Referred to Committee on Taxation—HJ 407
- S 54** Bill by Assessment and Taxation
**Expanding the eligible uses to qualify for the 0% state sales tax rate for certain
utilities and providing for the levying of local sales tax on such sales by
cities and counties.**
01/18/2023 Senate—Introduced—SJ 27
01/19/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 31
01/25/2023 Senate—Hearing: Wednesday, February 1, 2023, 9:30 AM Room 548-S
02/16/2023 Senate—Committee Report recommending bill be passed by Committee on
Assessment and Taxation—SJ 116
- S 55** Bill by Assessment and Taxation
**Substitute for SB 55 by Committee on Assessment and Taxation - Expanding and
clarifying the property tax exemption for Strother field airport property.**
01/18/2023 Senate—Introduced—SJ 27
01/18/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 27
03/08/2023 Senate—Committee Report recommending substitute bill be passed by
Committee on Assessment and Taxation—SJ 219
03/23/2023 Senate—Committee of the Whole - Committee Report be adopted
recommending substitute bill be passed—SJ 289
03/23/2023 Senate—Committee of the Whole - Substitute bill be passed—SJ 289
03/27/2023 Senate—Final Action - Passed; Yea: 27 Nay: 11—SJ 322

- 03/28/2023 House—Received and Introduced—HJ 552
 03/29/2023 House—Referred to Committee on Taxation—HJ 565
- S 56** Bill by Assessment and Taxation
Increasing the income limit for the income tax subtraction modification for social security income.
 01/18/2023 Senate—Introduced—SJ 27
 01/19/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 31
- S 57** Bill by Assessment and Taxation
Establishing a 0% state rate for sales and use taxes for food and food ingredients, providing a sales tax exemption for children's diapers and feminine hygiene products, establishing the STAR bonds food sales tax revenue replacement fund and altering the calculation for STAR bond districts.
 01/18/2023 Senate—Introduced—SJ 27
 01/19/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 31
- S 58** Bill by Senators Peck, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Kloos, Pittman
Providing a sales tax exemption for certain purchases by disabled veterans.
 01/18/2023 Senate—Introduced—SJ 27
 01/19/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 31
 03/01/2023 Senate—Hearing: Thursday, March 9, 2023, 9:30 AM Room 548-S
- S 59** Bill by Senators Faust-Goudeau, Haley
Designating "Martin Luther King, Jr. Day at the Capitol."
 01/18/2023 Senate—Introduced—SJ 27
 01/19/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 31
 02/01/2023 Senate—Hearing: Tuesday, February 7, 2023, 10:30 AM Room 144-S
 02/07/2023 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Federal and State Affairs—SJ 73
 02/15/2023 Senate—Consent Calendar Passed Yea: 38 Nay: 0—SJ 106
 02/16/2023 House—Received and Introduced—HJ 235
 02/17/2023 House—Referred to Committee on Legislative Modernization—HJ 251
- S 60** Bill by Assessment and Taxation
Providing a sales tax exemption for custom meat processing services.
 01/19/2023 Senate—Introduced—SJ 29
 01/20/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 36
 01/25/2023 Senate—Hearing: Thursday, February 2, 2023, 9:30 AM Room 548-S
 02/08/2023 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 80
 03/28/2023 Senate—Committee of the Whole - Passed over and retain a place on the calendar—SJ 365
- S 61** Bill by Assessment and Taxation
Providing an income tax rate of 5% for individuals and corporations, decreasing the surtax for entities subject to the privilege tax and providing that future income tax rate decreases be contingent on exceeding revenue estimates.
 01/19/2023 Senate—Introduced—SJ 30
 01/20/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 36
- S 62** Bill by Financial Institutions and Insurance
Enacting the protect vulnerable adults from financial exploitation act, requiring reporting of instances of suspected financial exploitation under certain circumstances and providing civil and administrative immunity to individuals who make such reports.
 01/19/2023 Senate—Introduced—SJ 30
 01/20/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 36

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- 02/08/2023 Senate—Hearing: Wednesday, February 15, 2023, 9:30 AM Room 546-S
02/23/2023 Senate—Withdrawn from Committee on Financial Institutions and Insurance; Referred to Committee on Ways and Means—SJ 198
- 03/01/2023 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Financial Institutions and Insurance—SJ 203
- S 63** Bill by Senators Corson, Blasi, Claeys, O'Shea, Pittman, Straub
Expanding the scope of uses of campaign contributions to include family caregiving services.
01/19/2023 Senate—Introduced—SJ 30
01/20/2023 Senate—Referred to Committee on Transparency and Ethics—SJ 36
02/08/2023 Senate—Hearing: Wednesday, February 15, 2023, 9:30 AM Room 142-S
02/20/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Transparency and Ethics—SJ 125
02/23/2023 Senate—Committee of the Whole - Passed over and retain a place on the calendar—SJ 191
02/23/2023 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 198
03/01/2023 Senate—Withdrawn from Committee on Ways and Means and re-referred to Committee of the Whole—SJ 203
- S 64** Bill by Senator Corson
Prohibiting certain statewide elected officials from receiving income from outside employment while holding such statewide office.
01/19/2023 Senate—Introduced—SJ 30
01/20/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 36
- S 65** Bill by Federal and State Affairs
Authorizing cities and counties to enact local laws to regulate abortion as stringent as or more stringent than state law.
01/19/2023 Senate—Introduced—SJ 30
01/20/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 36
- S 66** Bill by Education
Enacting the interstate teacher mobility compact to recognize equivalent teacher licenses across member states, requiring that licensing bodies provide verified electronic credentials to all credential holders based on their credentials from other jurisdictions and requiring licensing bodies to use centralized electronic credential data management systems capable of providing instantaneous credential verification.
01/19/2023 Senate—Introduced—SJ 30
01/20/2023 Senate—Referred to Committee on Education—SJ 36
02/02/2023 Senate—Hearing: Thursday, February 9, 2023, 1:30 PM Room 144-S
02/15/2023 Senate—Committee Report recommending bill be passed by Committee on Education—SJ 107
02/21/2023 Senate—Committee of the Whole - Be passed—SJ 129
02/22/2023 Senate—Final Action - Passed; Yea: 35 Nay: 4—SJ 138
02/22/2023 House—Received and Introduced—HJ 301
02/23/2023 House—Referred to Committee on Education—HJ 308
03/01/2023 House—Hearing: Monday, March 6, 2023, 1:30 PM Room 218-N
03/16/2023 House—Committee Report recommending bill be passed as amended by Committee on Education—HJ 440
03/27/2023 House—Committee of the Whole - Committee Report be adopted—HJ 509
03/27/2023 House—Committee of the Whole - Be passed as amended—HJ 509
03/27/2023 House—Emergency Final Action - Passed as amended; Yea: 103 Nay: 20—HJ 537
03/28/2023 Senate—Nonconcurrent with amendments; Conference Committee

- requested; appointed Senator Baumgardner, Senator Erickson and Senator Sykes as conferees—SJ 360
- 03/29/2023 House—Motion to accede adopted; Representative Thomas, Representative Estes and Representative Stogsdill appointed as conferees—HJ 588
- 04/05/2023 House—Conference Committee Report was adopted; Yea: 116 Nay: 5—HJ 634
- 04/05/2023 Senate—Conference Committee Report was adopted; Yea: 37 Nay: 3—SJ 461
- 04/24/2023 Senate—Enrolled and presented to Governor on Friday, April 14, 2023—SJ 1085
- 04/24/2023 Senate—Approved by Governor on Thursday, April 20, 2023—SJ 1085
- S 67** Bill by Ways and Means
Transferring \$1,000,000,000 from the state general fund to the budget stabilization fund of the department of administration during the fiscal year ending June 30, 2023.
- 01/19/2023 Senate—Introduced—SJ 30
- 01/20/2023 Senate—Referred to Committee on Ways and Means—SJ 36
- 01/25/2023 Senate—Hearing: Tuesday, January 31, 2023, 10:30 AM Room 548-S
- S 68** Bill by Utilities
Providing incumbent electric transmission owners a right of first refusal for the construction of certain electric transmission lines.
- 01/19/2023 Senate—Introduced—SJ 30
- 01/20/2023 Senate—Referred to Committee on Utilities—SJ 36
- 02/01/2023 Senate—Hearing: (proponents) Tuesday, February 7, 2023, 1:30 PM Room 548-S
- 02/01/2023 Senate—Hearing: (proponents) Monday, February 6, 2023, 1:30 PM Room 548-S
- 02/01/2023 Senate—Hearing: (neutral) Tuesday, February 7, 2023, 1:30 PM Room 548-S
- 02/01/2023 Senate—Hearing: (neutral) Wednesday, February 8, 2023, 1:30 PM Room 548-S
- 02/01/2023 Senate—Hearing: (opponents) Wednesday, February 8, 2023, 1:30 PM Room 548-S
- 02/07/2023 Senate—Hearing: (opponents) Thursday, February 9, 2023, 1:30 PM Room 548-S
- 02/07/2023 Senate—Hearing: (neutral) Thursday, February 9, 2023, 1:30 PM Room 548-S
- 02/07/2023 Senate—Hearing: (opponents) Wednesday, February 8, 2023, 1:30 PM Room 548-S
- 02/07/2023 Senate—Hearing: (opponents) Friday, February 10, 2023, 1:30 PM Room 548-S
- 02/14/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Utilities—SJ 99
- 02/23/2023 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 198
- 03/01/2023 Senate—Withdrawn from Committee on Ways and Means and re-referred to Committee of the Whole—SJ 203
- S 69** Bill by Senator Corson
Imposing requirements for reapportionment legislation.
- 01/19/2023 Senate—Introduced—SJ 30
- 01/20/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 36
- S 70** Bill by Senator Corson
Enacting the making work pay act to increase the Kansas minimum wage.

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- 01/19/2023 Senate—Introduced—SJ 30
01/20/2023 Senate—Referred to Committee on Commerce—SJ 36
- S 71** Bill by Senators Alley, Francisco
Requiring the secretary of agriculture to establish a division of sustainable agriculture that shall apply for federal grant funds under the greenhouse gas reduction fund to assist farmers in converting to renewable energy and sustainable agriculture practices.
- 01/19/2023 Senate—Introduced—SJ 30
01/20/2023 Senate—Referred to Committee on Agriculture and Natural Resources—SJ 36
- S 72** 02/08/2023 Senate—Hearing: Wednesday, February 15, 2023, 8:30 AM Room 144-S
Bill by Judiciary
Adding an exception to the hearsay rule to allow admission of statements made to a translator without the testimony of the translator.
- 01/19/2023 Senate—Introduced—SJ 30
01/20/2023 Senate—Referred to Committee on Judiciary—SJ 36
- S 73** Bill by Corrections and Juvenile Justice
House Substitute for SB 73 by Committee on 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, allowing for overall case length limit extensions for certain juvenile offenders and authorizing detention sanctions for probation violations.
- 01/19/2023 Senate—Introduced—SJ 31
01/20/2023 Senate—Referred to Committee on Judiciary—SJ 36
01/25/2023 Senate—Hearing: Tuesday, January 31, 2023, 10:30 AM Room 346-S
02/08/2023 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 80
02/14/2023 Senate—Committee of the Whole - Be passed—SJ 98
02/15/2023 Senate—Final Action - Passed; Yea: 38 Nay: 0—SJ 105
02/16/2023 House—Received and Introduced—HJ 235
02/17/2023 House—Referred to Committee on Corrections and Juvenile Justice—HJ 251
03/02/2023 House—Hearing: Tuesday, March 7, 2023, 1:30 PM Room 546-S
03/27/2023 House—Committee Report recommending substitute bill be passed by Committee on Corrections and Juvenile Justice—HJ 510
03/28/2023 House—Committee of the Whole - Committee Report be adopted recommending substitute bill be passed—HJ 562
03/28/2023 House—Committee of the Whole - Substitute bill be passed—HJ 562
03/29/2023 House—Final Action - Substitute passed; Yea: 90 Nay: 34—HJ 577
04/03/2023 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Warren, Senator Wilborn and Senator Corson as conferees—SJ 398
04/03/2023 House—Motion to accede adopted; Representative Owens, Representative Smith, E. and Representative Highberger appointed as conferees—HJ 603
- S 74** Bill by Judiciary
Providing for joint liability for costs and sanctions in third-party funded litigation, requiring certain discovery disclosures and requiring payment of certain costs for nonparty subpoenas.
- 01/20/2023 Senate—Introduced—SJ 36
01/23/2023 Senate—Referred to Committee on Judiciary—SJ 41
01/25/2023 Senate—Hearing: Thursday, February 2, 2023, 10:30 AM Room 346-S
02/23/2023 Senate—Withdrawn from Committee on Judiciary; Referred to Committee on Ways and Means—SJ 198

- 03/01/2023 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Judiciary—SJ 203
- S 75** Bill by Judiciary
Providing a statutory interest rate for prejudgment interest in all civil tort actions.
 01/20/2023 Senate—Introduced—SJ 36
 01/23/2023 Senate—Referred to Committee on Judiciary—SJ 41
 01/25/2023 Senate—Hearing: Thursday, February 2, 2023, 10:30 AM Room 346-S
 02/03/2023 Senate—Hearing: Wednesday, February 8, 2023, 10:30 AM Room 346-S
 02/20/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 125
 02/22/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 140
 02/22/2023 Senate—Committee of the Whole - Be passed as amended—SJ 140
 02/23/2023 Senate—Final Action - Passed as amended; Yea: 38 Nay: 0—SJ 163
 03/01/2023 House—Received and Introduced—HJ 353
 03/02/2023 House—Referred to Committee on Judiciary—HJ 360
 03/08/2023 House—Hearing: Tuesday, March 14, 2023, 3:30 PM Room 582-N
 03/23/2023 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 499
 03/27/2023 House—Committee of the Whole - Committee Report be adopted—HJ 509
 03/27/2023 House—Committee of the Whole - Be passed as amended—HJ 509
 03/27/2023 House—Emergency Final Action - Passed as amended; Yea: 122 Nay: 1—HJ 537
 03/28/2023 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Warren, Senator Wilborn and Senator Corson as conferees—SJ 361
 03/29/2023 House—Motion to accede adopted; Representative Patton, Representative Schreiber and Representative Carmichael appointed as conferees—HJ 588
 04/06/2023 Senate—Concurred with amendments in conference; Yea: 38 Nay: 0—SJ 851
 04/24/2023 Senate—Enrolled and presented to Governor on Friday, April 14, 2023—SJ 1085
 04/24/2023 Senate—Approved by Governor on Thursday, April 20, 2023—SJ 1085
- S 76** Bill by Financial Institutions and Insurance
Providing for an exemption from continuing education licensure requirements for certain insurance producers.
 01/20/2023 Senate—Introduced—SJ 36
 01/23/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 41
 02/08/2023 Senate—Hearing: Thursday, February 16, 2023, 9:30 AM Room 546-S
- S 77** Bill by Federal and State Affairs
Authorizing the Kansas human rights commission or any city or county to remove an unlawful restrictive covenant by recording a redacted plat or declaration.
 01/23/2023 Senate—Introduced—SJ 39
 01/24/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 45
- S 78** Bill by Utilities
Requiring the state corporation commission to review the regional rate competitiveness of an electric utility's rates in electric utility rate proceedings.
 01/23/2023 Senate—Introduced—SJ 39
 01/24/2023 Senate—Referred to Committee on Utilities—SJ 45
- S 79** Bill by Assessment and Taxation
Authorizing counties to impose an earnings tax.

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- 01/23/2023 Senate—Introduced—SJ 39
01/24/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 45
02/17/2023 Senate—Hearing: Monday, February 20, 2023, 9:30 AM Room 548-S
- S 80** Bill by Assessment and Taxation
Excluding social security payments from household income and increasing the appraised value threshold for eligibility of seniors and disabled veterans related to increased property tax homestead claims.
- 01/23/2023 Senate—Introduced—SJ 39
01/24/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 45
01/25/2023 Senate—Hearing: Tuesday, January 31, 2023, 9:30 AM Room 548-S
02/21/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 129
- S 81** Bill by Assessment and Taxation
Providing a Kansas income tax subtraction modification for the federal work opportunity tax credit and the employee retention credit disallowances.
- 01/23/2023 Senate—Introduced—SJ 39
01/24/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 45
02/01/2023 Senate—Hearing: Tuesday, February 7, 2023, 9:30 AM Room 548-S
02/16/2023 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 116
- S 82** Bill by Education
Requiring schools to establish policies and concussion management teams to prevent and manage concussions within school.
- 01/23/2023 Senate—Introduced—SJ 39
01/24/2023 Senate—Referred to Committee on Education—SJ 45
01/27/2023 Senate—Hearing: Tuesday, January 31, 2023, 1:30 PM Room 144-S
02/22/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Education—SJ 154
02/23/2023 Senate—Committee of the Whole - Passed over and retain a place on the calendar—SJ 191
- S 83** Bill by K-12 Education Budget
House Substitute for SB 83 by Committee on K-12 Education Budget - Making appropriations for the state department of education for FY 2024, establishing the sunflower education equity act to provide education savings accounts for qualified students, requiring school districts to provide a salary increase to all licensed teachers and defining enrollment of small school districts as the highest enrollment from the preceding four years under the Kansas school equity and enhancement act.
- 01/23/2023 Senate—Introduced—SJ 39
01/24/2023 Senate—Referred to Committee on Education—SJ 45
02/21/2023 Senate—Committee Report recommending bill be passed by Committee on Education—SJ 130
02/23/2023 Senate—Committee of the Whole - Amendment by Senator Sykes was rejected Yea: 13 Nay: 18—SJ 172
02/23/2023 Senate—Committee of the Whole - Amendment by Senator Steffen was adopted—SJ 171
02/23/2023 Senate—Committee of the Whole - Amendment by Senator Pettey was rejected—SJ 172
02/23/2023 Senate—Committee of the Whole - Amendment by Senator Straub was adopted—SJ 171
02/23/2023 Senate—Committee of the Whole - Amendment by Senator Straub was rejected—SJ 172
02/23/2023 Senate—Committee of the Whole - Amendment by Senator Straub was

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- rejected—SJ 172
- 02/23/2023 Senate—Committee of the Whole - Amendment by Senator Straub was rejected—SJ 172
- 02/23/2023 Senate—Committee of the Whole - Amendment by Senator Steffen was adopted Yea: 21 Nay: 15—SJ 171
- 02/23/2023 Senate—Committee of the Whole - Amendment by Senator Holscher was rejected—SJ 172
- 02/23/2023 Senate—Committee of the Whole - Amendment by Senator Sykes was adopted—SJ 171
- 02/23/2023 Senate—Committee of the Whole - Be passed as amended—SJ 171
- 02/23/2023 Senate—Emergency Final Action - Passed as amended; Yea: 22 Nay: 16—SJ 193
- 03/01/2023 House—Received and Introduced—HJ 353
- 03/01/2023 House—Hearing: Thursday, March 2, 2023, 3:30 PM Room 546-S
- 03/01/2023 House—Referred to Committee on K-12 Education Budget—HJ 353
- 03/08/2023 House—Committee Report recommending substitute bill be passed by Committee on K-12 Education Budget—HJ 385
- 03/14/2023 House—Committee of the Whole - Committee Report be adopted recommending substitute bill be passed—HJ 407
- 03/14/2023 House—Committee of the Whole - Amendment by Representative Hill was adopted—HJ 407
- 03/14/2023 House—Committee of the Whole - Amendment by Representative Titus was adopted—HJ 408
- 03/14/2023 House—Representative Helgeson challenged the amendment under the Pay-Go provision of House Rule 2110. The amendment was ruled to be out of order—HJ 408
- 03/14/2023 House—Committee of the Whole - Amendment by Representative Ousley was rejected Yea: 37 Nay: 84—HJ 408
- 03/14/2023 House—Committee of the Whole - Amendment by Representative Titus was adopted—HJ 409
- 03/14/2023 House—Committee of the Whole - Substitute bill be passed as amended—HJ 409
- 03/15/2023 House—Final Action - Substitute passed as amended; Yea: 64 Nay: 61—HJ 417
- 03/16/2023 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Baumgardner, Senator Erickson and Senator Sykes as conferees—SJ 243
- 03/21/2023 House—Motion to accede adopted; Representative Williams, K., Representative Landwehr and Representative Winn appointed as conferees—HJ 467
- 03/29/2023 House—Representative Poskin is appointed to replace Representative Winn on the Conference Committee—HJ 589
- 04/04/2023 House—Representative Winn is appointed to replace Representative Poskin on the Conference Committee—HJ 614
- 04/05/2023 House—Conference Committee Report agree to disagree adopted; Representative Williams, K., Representative Landwehr and Representative Winn appointed as second conferees—HJ 634
- 04/05/2023 Senate—Conference Committee Report agree to disagree adopted; Senator Baumgardner, Senator Erickson and Senator Sykes appointed as second conferees—SJ 453
- 04/06/2023 House—Conference Committee Report was adopted; Yea: 65 Nay: 58—HJ 1101
- 04/06/2023 Senate—Conference Committee Report not adopted; Yea: 17 Nay: 20—SJ

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- 1007
04/06/2023 Senate—Motion to reconsider previous action failed.—SJ 1007
- S 84** Bill by Education
Including individuals who receive a high school equivalency (HSE) credential in performance-based payments for certain postsecondary educational institutions.
- 01/23/2023 Senate—Introduced—SJ 39
- 01/24/2023 Senate—Referred to Committee on Education—SJ 45
- S 85** Bill by Financial Institutions and Insurance
Enacting the Kansas travel insurance act.
- 01/23/2023 Senate—Introduced—SJ 39
- 01/24/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 45
- 02/01/2023 Senate—Hearing: Tuesday, February 7, 2023, 9:30 AM Room 546-S
- 02/14/2023 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 98
- 02/15/2023 Senate—Committee of the Whole - Passed over and retain a place on the calendar—SJ 105
- 02/21/2023 Senate—Committee of the Whole - Be passed—SJ 129
- 02/22/2023 Senate—Final Action - Passed; Yea: 34 Nay: 5—SJ 138
- 02/22/2023 House—Received and Introduced—HJ 301
- 02/23/2023 House—Referred to Committee on Insurance—HJ 308
- 03/08/2023 House—Hearing: Monday, March 13, 2023, 3:30 PM Room 218-N
- 03/16/2023 House—Committee Report recommending bill be passed as amended by Committee on Insurance—HJ 441
- 03/27/2023 House—Committee of the Whole - Committee Report be adopted—HJ 509
- 03/27/2023 House—Committee of the Whole - Be passed as amended—HJ 509
- 03/27/2023 House—Emergency Final Action - Passed as amended; Yea: 103 Nay: 20—HJ 535
- 03/28/2023 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Longbine, Senator Fagg and Senator Holscher as conferees—SJ 361
- 03/29/2023 House—Motion to accede adopted; Representative Sutton, Representative Penn and Representative Neighbor appointed as conferees—HJ 589
- 04/06/2023 House—Conference Committee Report was adopted; Yea: 118 Nay: 5—HJ 682
- 04/06/2023 Senate—Conference Committee Report was adopted; Yea: 36 Nay: 4—SJ 505
- 04/24/2023 Senate—Enrolled and presented to Governor on Friday, April 14, 2023—SJ 1085
- 04/24/2023 Senate—Approved by Governor on Wednesday, April 19, 2023—SJ 1085
- S 86** Bill by Local Government
Requiring local governmental officials to disclose substantial interests in the construction and operation of a wind or solar energy conversion system and to abstain from all local governmental actions relating to such matters.
- 01/23/2023 Senate—Introduced—SJ 40
- 01/24/2023 Senate—Referred to Committee on Local Government—SJ 45
- S 87** Bill by Senator Holland
Requiring a duly ordained minister of religion to report certain abuse and neglect of children.
- 01/24/2023 Senate—Introduced—SJ 43
- 01/25/2023 Senate—Referred to Committee on Judiciary—SJ 47

- S 88** Bill by Utilities
Providing for the statewide election of commissioners of the state corporation commission, establishing the utilities regulation division in the office of the attorney general, requiring such division to represent and protect the collective interests of utility customers in utility rate-related proceedings and exempting the state corporation commission from the open meetings act.
 01/24/2023 Senate—Introduced—SJ 43
 01/25/2023 Senate—Referred to Committee on Utilities—SJ 47
 02/08/2023 Senate—Hearing: Monday, February 13, 2023, 1:30 PM Room 548-S
- S 89** Bill by Senator Holscher
Providing for sales tax exemption for feminine hygiene products and diapers.
 01/24/2023 Senate—Introduced—SJ 44
 01/25/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 47
- S 90** Bill by Transportation
Increasing certain registration and title fees on vehicles for services provided by county treasurers and the division of vehicles, decreasing certain fees related to administrative costs and modifying the disposition of such fees and eliminating the division of vehicles modernization surcharge.
 01/24/2023 Senate—Introduced—SJ 44
 01/25/2023 Senate—Referred to Committee on Transportation—SJ 47
 02/08/2023 Senate—Hearing: Thursday, February 16, 2023, 8:30 AM Room 546-S
- S 91** Bill by Commerce
Enacting the Kansas film and digital media industry production development act, providing a tax credit, sales tax exemption and loans and grants to incentivize film, video and digital media production in Kansas, establishing a program to be administered by the secretary of commerce for the purpose of developing such production in Kansas and requiring the secretary of commerce to issue reports on the economic impact of the act.
 01/24/2023 Senate—Introduced—SJ 44
 01/25/2023 Senate—Referred to Committee on Commerce—SJ 47
 01/25/2023 Senate—Hearing: Thursday, February 2, 2023, 10:30 AM Room 546-S
 02/17/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Commerce—SJ 117
 02/23/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 187
 02/23/2023 Senate—Committee of the Whole - Amendment by Senator Baumgardner was adopted—SJ 187
 02/23/2023 Senate—Committee of the Whole - Be passed as further amended—SJ 191
 02/23/2023 Senate—Emergency Final Action - Passed as amended; Yea: 28 Nay: 7—SJ 194
 03/01/2023 House—Received and Introduced—HJ 353
 03/02/2023 House—Referred to Committee on Taxation—HJ 360
 03/08/2023 House—Hearing: Wednesday, March 15, 2023, 3:30 PM Room 346-S
 03/20/2023 House—Committee Report recommending bill be passed as amended by Committee on Taxation—HJ 461
- S 92** Bill by Federal and State Affairs
Creating a procedure for appointment of delegates to a convention of the states under Article V of the Constitution of the United States and prescribing the duties and responsibilities of such delegates.
 01/24/2023 Senate—Introduced—SJ 44
 01/25/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 47
 02/01/2023 Senate—Hearing: Thursday, February 9, 2023, 10:30 AM Room 144-S

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- S 93** 02/13/2023 Senate—Hearing: Wednesday, February 15, 2023, 10:30 AM Room 144-S
Bill by Federal and State Affairs
Creating the constitution and federalism defense act to establish a joint legislative commission to evaluate the constitutionality of federal mandates.
01/24/2023 Senate—Introduced—SJ 44
01/25/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 47
- S 94** Bill by Assessment and Taxation
Discontinuing state property tax levies for the Kansas educational building fund and the state institutions building fund and providing for financing therefor from the state general fund.
01/24/2023 Senate—Introduced—SJ 44
01/25/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 47
01/25/2023 Senate—Hearing: Wednesday, February 1, 2023, 9:30 AM Room 548-S
02/08/2023 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 80
- S 95** Bill by Federal and State Affairs
Permitting a prosecution for childhood sexual abuse to be commenced at any time, permitting victims of childhood sexual abuse to bring a civil action for recovery of damages caused by such abuse at any time and reviving claims against any party for such damages that occurred on or after July 1, 1984.
01/24/2023 Senate—Introduced—SJ 44
01/25/2023 Senate—Referred to Committee on Judiciary—SJ 47
- S 96** Bill by Health and Human Services
House Substitute for SB 96 by Committee on Health and Human Services - Establishing child care licensing requirements relating to license capacity and staff-to-child ratios, eliminating certain license fees and training requirements, creating a process for day care facility licensees to apply for temporary waiver of certain statutory requirements and authorizing the secretary to develop and operate pilot programs to increase child care facility availability or capacity.
01/24/2023 Senate—Introduced—SJ 45
01/25/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 47
01/25/2023 Senate—Hearing: Thursday, February 2, 2023, 9:30 AM Room 548-S
02/16/2023 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 116
02/23/2023 Senate—Committee of the Whole - Be passed—SJ 171
02/23/2023 Senate—Emergency Final Action - Passed; Yea: 28 Nay: 11—SJ 194
03/01/2023 House—Received and Introduced—HJ 353
03/02/2023 House—Referred to Committee on Health and Human Services—HJ 360
03/21/2023 House—Hearing: Tuesday, March 21, 2023, 1:30 PM Room 112-N
03/23/2023 House—Committee Report recommending substitute bill be passed by Committee on Health and Human Services—HJ 496
- S 97** Bill by Assessment and Taxation
Increasing the extent of property tax exemption for residential property from the statewide school levy.
01/24/2023 Senate—Introduced—SJ 45
01/25/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 47
01/25/2023 Senate—Hearing: Wednesday, February 1, 2023, 9:30 AM Room 548-S
02/20/2023 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 124
- S 98** Bill by Education
Authorizing medical student and residency loan assistance to encourage the

practice of obstetrics and gynecology in medically underserved areas of the state.

01/24/2023 Senate—Introduced—SJ 45
 01/25/2023 Senate—Referred to Committee on Education—SJ 47
 02/16/2023 Senate—Hearing: Monday, February 20, 2023, 1:30 PM Room 144-S
 02/22/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Education—SJ 155
 02/23/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 183
 02/23/2023 Senate—Committee of the Whole - Be passed as amended—SJ 183
 02/23/2023 Senate—Emergency Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 195

03/01/2023 House—Received and Introduced—HJ 353
 03/02/2023 House—Referred to Committee on Health and Human Services—HJ 360

S 99 Bill by Federal and State Affairs

Establishing the advisory commission on Asian-American Pacific Islander affairs.

01/25/2023 Senate—Introduced—SJ 46
 01/26/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 51

S 100 Bill by Federal and State Affairs

Prohibiting ownership in certain real property in this state by foreign individuals and entities.

01/25/2023 Senate—Introduced—SJ 46
 01/26/2023 Senate—Referred to Committee on Judiciary—SJ 51

S 101 Bill by Assessment and Taxation

Providing a sales tax exemption for area agencies on aging.

01/25/2023 Senate—Introduced—SJ 46
 01/26/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 51
 03/01/2023 Senate—Hearing: Thursday, March 9, 2023, 9:30 AM Room 548-S

S 102 Bill by Education

Establishing residency criteria for students of technical colleges.

01/25/2023 Senate—Introduced—SJ 46
 01/26/2023 Senate—Referred to Committee on Education—SJ 51
 02/09/2023 Senate—Hearing: Wednesday, February 15, 2023, 1:30 PM Room 144-S
 Bill by Public Health and Welfare

S 103

Updating certain provisions of the Kansas dental practices act relating to dentist information requested by patients, in-person practice requirements in dental office using licensee's name, unprofessional conduct and patient complaints.

01/26/2023 Senate—Introduced—SJ 49
 01/27/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 52
 02/01/2023 Senate—Hearing: Wednesday, February 8, 2023, 8:30 AM Room 142-S
 02/23/2023 Senate—Withdrawn from Committee on Public Health and Welfare; Referred to Committee on Ways and Means—SJ 198
 03/01/2023 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Public Health and Welfare—SJ 203

S 104 Bill by Financial Institutions and Insurance

Allowing a surcharge when purchases are made with a credit or debit card.

01/26/2023 Senate—Introduced—SJ 50
 01/27/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 52
 02/01/2023 Senate—Hearing: Thursday, February 9, 2023, 9:30 AM Room 546-S
 02/21/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Insurance—SJ 130
 02/23/2023 Senate—Withdrawn from Calendar; Referred to Committee on Ways and

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- Means—SJ 198
03/01/2023 Senate—Withdrawn from Committee on Ways and Means and re-referred to Committee of the Whole—SJ 203
- S 105** Bill by Agriculture and Natural Resources
Authorizing the Kansas department of wildlife and parks to purchase land in Jewell county.
01/26/2023 Senate—Introduced—SJ 50
01/27/2023 Senate—Referred to Committee on Agriculture and Natural Resources—SJ 52
- S 106** Bill by Transportation
Reconciling multiple amendments to certain statutes.
01/26/2023 Senate—Introduced—SJ 50
01/27/2023 Senate—Referred to Committee on Transportation—SJ 52
01/31/2023 Senate—Hearing: Thursday, February 2, 2023, 8:30 AM Room 546-S
02/09/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 89
02/14/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 98
02/14/2023 Senate—Committee of the Whole - Be passed as amended—SJ 98
02/15/2023 Senate—Final Action - Passed as amended; Yea: 37 Nay: 1—SJ 105
02/17/2023 House—Received and Introduced—HJ 251
02/20/2023 House—Referred to Committee on Transportation—HJ 260
02/21/2023 House—Hearing: Thursday, March 2, 2023, 1:30 PM Room 582-N
03/14/2023 House—Committee Report recommending bill be passed as amended by Committee on Transportation—HJ 411
03/23/2023 House—Committee of the Whole - Committee Report be adopted—HJ 493
03/23/2023 House—Committee of the Whole - Be passed as amended—HJ 493
03/23/2023 House—Emergency Final Action - Passed as amended; Yea: 99 Nay: 23—HJ 495
03/23/2023 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Petersen, Senator Kloos and Senator Corson as conferees—SJ 289
03/27/2023 House—Motion to accede adopted; Representative Francis, Representative Neelly and Representative Ballard appointed as conferees—HJ 509
04/25/2023 House—Representative Waymaster, Representative Hoffman, and Representative Helgerson are appointed to replace Representative Francis, Representative Neelly, and Representative Ballard on the Conference Committee—HJ 1287
04/25/2023 Senate—Senator Billinger, Senator Claeys, and Senator Petty are appointed to replace Senator Petersen, Senator Kloos, and Senator Corson on the Conference Committee—SJ 1087
04/28/2023 House—Motion to suspend Joint Rule 4 (k) to allow consideration adopted;—HJ 1466
04/28/2023 House—Conference Committee Report was adopted; Yea: 120 Nay: 0—HJ 1488
04/28/2023 Senate—Motion to suspend Joint Rule 4 (k) to allow consideration adopted;—SJ 1297
04/28/2023 Senate—Conference Committee Report was adopted; Yea: 39 Nay: 1—SJ 1358
04/28/2023 Senate—Enrolled and presented to Governor on Friday, May 5, 2023—SJ 1359
04/28/2023 Senate—Approved by Governor on Tuesday, May 9, 2023—SJ 1360
- S 107** Bill by Federal and State Affairs
Providing that family members of deceased crime victims have the right to sit in a

- designated seating area at or near the prosecution table during court proceedings.**
- 01/26/2023 Senate—Introduced—SJ 50
- 01/27/2023 Senate—Referred to Committee on Judiciary—SJ 52
- S 108** Bill by Senators Pittman, Kloos
Prohibiting motorcycle profiling by law enforcement agencies.
 01/26/2023 Senate—Introduced—SJ 50
 01/27/2023 Senate—Referred to Committee on Judiciary—SJ 52
- S 109** Bill by Education
Deeming certain refugees as residents of the state for the purposes of tuition and fees at postsecondary educational institutions.
 01/26/2023 Senate—Introduced—SJ 50
 01/27/2023 Senate—Referred to Committee on Education—SJ 52
- S 110** Bill by Senator Blasi
Exempting all social security benefits from Kansas income tax.
 01/26/2023 Senate—Introduced—SJ 50
 01/27/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 52
- S 111** Bill by Public Health and Welfare
Enacting the massage therapist licensure act to provide for regulation and licensing of massage therapists.
 01/26/2023 Senate—Introduced—SJ 50
 01/27/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 52
- S 112** Bill by Public Health and Welfare
Authorizing registered nurse anesthetists to engage in independent practice and prescribe drugs and prohibiting registered nurse anesthetists from performing or prescribing drugs to induce an abortion.
 01/26/2023 Senate—Introduced—SJ 50
 01/27/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 52
 02/08/2023 Senate—Hearing: Thursday, February 16, 2023, 8:30 AM Room 142-S
 02/21/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 135
 02/23/2023 Senate—Committee of the Whole - Passed over and retain a place on the calendar—SJ 170
 02/23/2023 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 198
 03/01/2023 Senate—Withdrawn from Committee on Ways and Means and re-referred to Committee of the Whole—SJ 203
 03/29/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 382
 03/29/2023 Senate—Committee of the Whole - Be passed as amended—SJ 382
 03/29/2023 Senate—Emergency Final Action - Passed as amended; Yea: 33 Nay: 6—SJ 387
 04/03/2023 House—Received and Introduced—HJ 594
 04/04/2023 House—Referred to Committee on Health and Human Services—HJ 610
- S 113** Bill by K-12 Education Budget
House Substitute for SB 113 by Committee on K-12 Education Budget – Making appropriations for the department of education for FY 23, FY 24 and FY 25; establishing requirements relating to school building closures; authorizing certain students to participate in activities regulated by the Kansas state high school activities association; revising school district open enrollment requirements and procedures; authorizing compensation for local school district board of education members; amending provisions in the Kansas school equity and enhancement act relating to certain weightings and determination of enrollment; expanding student

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eligibility and increasing the amount of the tax credit under the tax credit for low income students scholarship program; and reauthorizing the 20 mill statewide school tax levy.

- 01/26/2023 Senate—Introduced—SJ 50
- 01/27/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 52
- 02/16/2023 Senate—Hearing: Friday, February 17, 2023, 8:30 AM Room 142-S
- 02/20/2023 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 125
- 02/22/2023 Senate—Committee of the Whole - Be passed—SJ 140
- 02/23/2023 Senate—Final Action - Passed; Yea: 38 Nay: 1—SJ 163
- 03/01/2023 House—Received and Introduced—HJ 353
- 03/02/2023 House—Referred to Committee on Health and Human Services—HJ 360
- 03/06/2023 House—Withdrawn from Committee on Health and Human Services; Referred to Committee on K-12 Education Budget—HJ 369
- 03/06/2023 House—Hearing: Tuesday, March 7, 2023, 3:30 PM Room 546-S
- 03/15/2023 House—Committee Report recommending substitute bill be passed by Committee on K-12 Education Budget—HJ 425
- 03/22/2023 House—Representative Landwehr challenged the amendment under the Pay-Go provision of House Rule 2110. The amendment was ruled to be out of order—HJ 480
- 03/22/2023 House—Committee of the Whole - Amendment by Representative Poskin was rejected Yea: 39 Nay: 82—HJ 480
- 03/22/2023 House—Committee of the Whole - Amendment by Representative Probst was rejected Yea: 49 Nay: 72—HJ 481
- 03/22/2023 House—Representative Williams, K. challenged the amendment under the Pay-Go provision of House Rule 2110. The amendment was ruled to be out of order—HJ 481
- 03/22/2023 House—Committee of the Whole - Substitute bill be passed—HJ 481
- 03/23/2023 House—Final Action - Substitute passed; Yea: 75 Nay: 48—HJ 491
- 04/03/2023 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Baumgardner, Senator Erickson and Senator Sykes as conferees—SJ 398
- 04/03/2023 House—Motion to accede adopted; Representative Williams, K., Representative Landwehr and Representative Winn appointed as conferees—HJ 603
- 04/06/2023 House—Conference Committee Report agree to disagree adopted; Representative Williams, K., Representative Landwehr and Representative Winn appointed as second conferees—HJ 734
- 04/06/2023 Senate—Conference Committee Report agree to disagree adopted; Senator Baumgardner, Senator Erickson and Senator Sykes appointed as second conferees—SJ 517
- 04/24/2023 House—Representative Poskin is appointed to replace Representative Winn on the Conference Committee—HJ 1283
- 04/27/2023 House—Representative Winn is appointed to replace Representative Poskin on the Conference Committee—HJ 1315
- 04/28/2023 House—Motion to suspend Joint Rule 4 (k) to allow consideration adopted; —HJ 1466
- 04/28/2023 House—Conference Committee Report challenged by Rep. Ousley under Joint Rule 3(f), ruled to be in order.—HJ 1476
- 04/28/2023 House—Conference Committee Report was adopted; Yea: 83 Nay: 37—HJ 1476
- 04/28/2023 Senate—Motion to suspend Joint Rule 4 (k) to allow consideration adopted; —SJ 1287

- 04/28/2023 Senate—Conference Committee Report was adopted; Yea: 23 Nay: 16—SJ 1297
- 04/28/2023 Senate—Enrolled and presented to Governor on Monday, May 8, 2023—SJ 1360
- 04/28/2023 Senate—Approved by Governor except line item veto of 1(c); 2(a) (part); 14; 21 (part) on Thursday, May 18, 2023—SJ 1366
- 04/28/2023 Senate—The Legislature having adjourned sine die on April 28, 2023, there was no opportunity to reconsider and the line-item vetoes are sustained.—SJ 1368

S 114

Bill by Commerce

Creating definitions for "advanced recycling" and related terms and separating advanced recycling from the current solid waste management system.

- 01/26/2023 Senate—Introduced—SJ 50
- 01/27/2023 Senate—Referred to Committee on Commerce—SJ 52
- 01/31/2023 Senate—Hearing: Wednesday, February 1, 2023, 10:30 AM Room 546-S
- 02/21/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Commerce
- 02/23/2023 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 198
- 03/01/2023 Senate—Withdrawn from Committee on Ways and Means and re-referred to Committee of the Whole—SJ 203
- 03/09/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 224
- 03/09/2023 Senate—Committee of the Whole - Amendment by Senator Francisco was rejected—SJ 225
- 03/09/2023 Senate—Committee of the Whole - Amendment by Senator Bowers was rejected Yea: 15 Nay: 21—SJ 224
- 03/09/2023 Senate—Committee of the Whole - Be passed as amended—SJ 224
- 03/09/2023 Senate—Emergency Final Action - Passed as amended; Yea: 28 Nay: 10—SJ 225
- 03/13/2023 House—Received and Introduced—HJ 397
- 03/14/2023 House—Referred to Committee on Commerce, Labor and Economic Development—HJ 407
- 03/15/2023 House—Hearing: Monday, March 20, 2023, 1:30 PM Room 346-S
- 03/22/2023 House—Committee Report recommending bill be passed by Committee on Commerce, Labor and Economic Development—HJ 482
- 03/27/2023 House—Committee of the Whole - Be passed—HJ 509
- 03/27/2023 House—Emergency Final Action - Passed; Yea: 101 Nay: 22—HJ 540
- 04/03/2023 Senate—Enrolled and presented to Governor on Monday, April 3, 2023—SJ 401
- 04/24/2023 Senate—Approved by Governor on Friday, April 7, 2023—SJ 1085

S 115

Bill by Judiciary

Changing the lists of persons who are required to be given notice of the hearing on a petition for an independent or stepparent, private agency or public agency adoption.

- 01/27/2023 Senate—Introduced—SJ 52
- 01/30/2023 Senate—Referred to Committee on Judiciary—SJ 54
- 02/01/2023 Senate—Hearing: Wednesday, February 8, 2023, 10:30 AM Room 346-S
- 02/15/2023 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 109
- 02/21/2023 Senate—Committee of the Whole - Be passed—SJ 129
- 02/22/2023 Senate—Final Action - Passed; Yea: 39 Nay: 0—SJ 139
- 02/22/2023 House—Received and Introduced—HJ 301
- 02/23/2023 House—Referred to Committee on Child Welfare and Foster Care—HJ 308

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- 03/08/2023 House—Hearing: Wednesday, March 15, 2023, 1:30 PM Room 152-S
03/21/2023 House—Committee Report recommending bill be passed as amended by
Committee on Child Welfare and Foster Care—HJ 472
03/27/2023 House—Committee of the Whole - Committee Report be adopted—HJ 531
03/27/2023 House—Committee of the Whole - Be passed as amended—HJ 531
03/27/2023 House—Emergency Final Action - Passed as amended; Yea: 120 Nay: 3—
HJ 547
03/28/2023 Senate—Nonconcurrent with amendments; Conference Committee
requested; appointed Senator Warren, Senator Wilborn and Senator Corson as
conferees—SJ 361
03/29/2023 House—Motion to accede adopted; Representative Concannon,
Representative Johnson and Representative Ousley appointed as conferees—
HJ 589

S 116

- Bill by Federal and State Affairs
**House Substitute for SB 116 by Committee on Federal and State Affairs -
Removing state agency fees for licenses to carry concealed handguns.**
01/27/2023 Senate—Introduced—SJ 52
01/30/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 54
02/01/2023 Senate—Hearing: Wednesday, February 8, 2023, 10:30 AM Room 144-S
02/09/2023 Senate—Committee Report recommending bill be passed by Committee on
Federal and State Affairs—SJ 89
02/16/2023 Senate—Committee of the Whole - Amendment by Senator Holscher was
rejected Yea: 12 Nay: 25—SJ 114
02/16/2023 Senate—Committee of the Whole - Amendment by Senator Sykes was
rejected Yea: 8 Nay: 27—SJ 115
02/16/2023 Senate—Committee of the Whole - Amendment by Senator Holscher was
rejected—SJ 115
02/16/2023 Senate—Committee of the Whole - Be passed—SJ 114
02/16/2023 Senate—Emergency Final Action - Passed; Yea: 30 Nay: 8—SJ 115
02/17/2023 House—Received and Introduced—HJ 251
02/20/2023 House—Referred to Committee on Federal and State Affairs—HJ 260
03/02/2023 House—Hearing: Wednesday, March 8, 2023, 9:00 AM Room 346-S
03/20/2023 House—Committee Report recommending substitute bill be passed by
Committee on Federal and State Affairs—HJ 460
03/27/2023 House—Committee of the Whole - Committee Report be adopted
recommending substitute bill be passed—HJ 509
03/27/2023 House—Committee of the Whole - Substitute bill be passed—HJ 509
03/27/2023 House—Emergency Final Action - Substitute passed; Yea: 102 Nay: 21—
HJ 536
04/03/2023 Senate—Nonconcurrent with amendments; Conference Committee
requested; appointed Senator Thompson, Senator Kloos and Senator Faust-
Goudeau as conferees—SJ 398
04/03/2023 House—Motion to accede adopted; Representative Carpenter, W.,
Representative Kessler and Representative Hoye appointed as conferees—HJ
603
04/04/2023 House—Conference Committee Report agree to disagree adopted;
Representative Carpenter, W., Representative Kessler and Representative
Hoye appointed as conferees—HJ 616
04/05/2023 Senate—Conference Committee Report agree to disagree adopted; Senator
Thompson, Senator Kloos and Senator Faust-Goudeau appointed as second
conferees—SJ 417
04/05/2023 House—Conference Committee Report was adopted; Yea: 86 Nay: 37—HJ
628

- 04/05/2023 Senate—Conference Committee Report was adopted; Yea: 27 Nay: 10—SJ 437
- 04/24/2023 Senate—Enrolled and presented to Governor on Friday, April 14, 2023—SJ 1085
- S 117** 04/24/2023 Senate—Approved by Governor on Thursday, April 20, 2023—SJ 1085
 Bill by Federal and State Affairs
Authorizing the state historical society to convey certain real property to the Shawnee Tribe.
- 01/30/2023 Senate—Introduced—SJ 54
- S 118** 01/31/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 56
 Bill by Federal and State Affairs
Expanding the duties of the secretary of health and environment when investigating maternal deaths to include promoting continuity of care, helping develop performance measures and establishing an external review committee to study cases and make recommendations to prevent maternal deaths.
- 01/30/2023 Senate—Introduced—SJ 54
- S 119** 01/31/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 56
 Bill by Financial Institutions and Insurance
Updating certain statutory references contained in chapter 40 of the Kansas Statutes Annotated; specifying certain requirements of documents submitted by medicare provider organizations and health maintenance organizations to demonstrate fiscal soundness; removing the requirement of a documented written demand for premium as part of a prima facie case; adding certain legal entities to the definition of person for purposes of violations of insurance law; and updating the version of risk-based capital instructions in effect.
- 01/31/2023 Senate—Introduced—SJ 55
- 02/01/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 59
- 02/15/2023 Senate—Hearing: Monday, February 20, 2023, 9:30 AM Room 546-S
- 02/21/2023 Senate—Committee Report recommending bill be passed by Committee on Financial Institutions and Insurance—SJ 130
- 02/22/2023 Senate—Committee of the Whole - Be passed—SJ 137
- 02/23/2023 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 163
- 03/01/2023 House—Received and Introduced—HJ 353
- 03/02/2023 House—Referred to Committee on Insurance—HJ 360
- 03/06/2023 House—Hearing: Wednesday, March 8, 2023, 3:30 PM Room 218-N
- 03/14/2023 House—Committee Report recommending bill be passed as amended by Committee on Insurance—HJ 411
- 03/27/2023 House—Committee of the Whole - Committee Report be adopted—HJ 527
- 03/27/2023 House—Committee of the Whole - Be passed as amended—HJ 527
- 03/27/2023 House—Emergency Final Action - Passed as amended; Yea: 117 Nay: 5—HJ 542
- 03/28/2023 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Longbine, Senator Fagg and Senator Holscher as conferees—SJ 361
- 03/29/2023 House—Motion to accede adopted; Representative Sutton, Representative Penn and Representative Neighbor appointed as conferees—HJ 589
- 04/05/2023 House—Conference Committee Report was adopted; Yea: 108 Nay: 15—HJ 622
- 04/05/2023 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 443

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- 04/24/2023 Senate—Enrolled and presented to Governor on Friday, April 14, 2023—SJ 1085
- S 120** 04/24/2023 Senate—Approved by Governor on Wednesday, April 19, 2023—SJ 1085
Bill by Agriculture and Natural Resources
Authorizing the secretary of health and environment to adopt rules and regulations for an annual certification program for the replacement of distribution systems segments and increasing the amortization period on loans from the Kansas water pollution control revolving fund.
- 01/31/2023 Senate—Introduced—SJ 55
- 02/01/2023 Senate—Referred to Committee on Agriculture and Natural Resources—SJ 59
- 02/08/2023 Senate—Hearing: Tuesday, February 14, 2023, 8:30 AM Room 144-S
- 02/20/2023 Senate—Committee Report recommending bill be passed by Committee on Agriculture and Natural Resources—SJ 121
- 02/22/2023 Senate—Committee of the Whole - Be passed—SJ 140
- 02/23/2023 Senate—Final Action - Passed; Yea: 37 Nay: 3—SJ 164
- 03/01/2023 House—Received and Introduced—HJ 353
- 03/02/2023 House—Referred to Committee on Agriculture and Natural Resources—HJ 360
- 03/15/2023 House—Hearing: Wednesday, March 22, 2023, 3:30 PM Room 112-N
- 03/23/2023 House—Committee Report recommending bill be passed by Committee on Agriculture and Natural Resources—HJ 496
- 03/27/2023 House—Committee of the Whole - Be passed—HJ 509
- 03/27/2023 House—Emergency Final Action - Passed; Yea: 114 Nay: 9—HJ 533
- 04/03/2023 Senate—Enrolled and presented to Governor on Monday, April 3, 2023—SJ 401
- S 121** 04/24/2023 Senate—Approved by Governor on Monday, April 10, 2023—SJ 120
Bill by Public Health and Welfare
Broadening the scope of practice of naturopathic doctors and changing certain provisions pertaining to the licensure and regulation of naturopathic doctors.
- 01/31/2023 Senate—Introduced—SJ 56
- S 122** 02/01/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 59
Bill by Education
Removing the sunset for the high-density at-risk student weighting under the Kansas school equity and enhancement act.
- 01/31/2023 Senate—Introduced—SJ 56
- 02/01/2023 Senate—Referred to Committee on Education—SJ 59
- S 123** Bill by Senators Pittman, Peck
Enacting the Kansas adult learner grant act to establish a grant program for adult learners to pursue certain fields of study, enacting the career technical education credential and transition incentive for employment success act to require school districts to pay for the cost of assessments for students to obtain an approved career technical education credential, designating military veterans and spouses or dependents of such veterans who were stationed in Kansas for at least 11 months as residents for purposes of tuition and fees at postsecondary educational institutions and expanding the eligible fields of study under the Kansas promise scholarship act.
- 01/31/2023 Senate—Introduced—SJ 56
- 02/01/2023 Senate—Referred to Committee on Education—SJ 59
- 02/09/2023 Senate—Hearing: Wednesday, February 15, 2023, 1:30 PM Room 144-S
- 02/21/2023 Senate—Committee Report recommending bill be passed by Committee on Education—SJ 130

- 02/22/2023 Senate—Committee of the Whole - Be passed—SJ 137
 02/23/2023 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 164
 03/01/2023 House—Received and Introduced—HJ 353
 03/02/2023 House—Referred to Committee on Education—HJ 360
 03/08/2023 House—Hearing: Tuesday, March 14, 2023, 1:30 PM Room 218-N
 03/16/2023 House—Committee Report recommending bill be passed as amended by
 Committee on Education—HJ 440
 03/27/2023 House—Committee of the Whole - Committee Report be adopted—HJ 509
 03/27/2023 House—Committee of the Whole - Be passed as amended—HJ 509
 03/27/2023 House—Emergency Final Action - Passed as amended; Yea: 123 Nay: 0—
 HJ 538
 03/28/2023 Senate—Nonconcurrent with amendments; Conference Committee
 requested; appointed Senator Baumgardner, Senator Erickson and Senator
 Sykes as conferees—SJ 361
 03/29/2023 House—Motion to accede adopted; Representative Thomas, Representative
 Estes and Representative Stogsdill appointed as conferees—HJ 589
 04/06/2023 House—Conference Committee Report was adopted; Yea: 122 Nay: 1—HJ
 738
 04/06/2023 Senate—Conference Committee Report was adopted; Yea: 35 Nay: 2—SJ
 960
 04/24/2023 Senate—Enrolled and presented to Governor on Friday, April 14, 2023—SJ
 1085
 04/24/2023 Senate—Approved by Governor on Thursday, April 20, 2023—SJ 1085
S 124 Bill by Senator Pittman
**Allowing a Kansas itemized deduction for wagering losses for income tax
 purposes.**
 01/31/2023 Senate—Introduced—SJ 56
S 125 02/01/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 59
 Bill by Assessment and Taxation
**Allowing income tax net operating loss carryback from the sale of certain historic
 hotels.**
 01/31/2023 Senate—Introduced—SJ 56
 02/01/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 59
S 126 03/15/2023 Senate—Hearing: Tuesday, March 21, 2023, 9:30 AM Room 548-S
 Bill by Assessment and Taxation
**Providing an individual income tax credit for certain residential solar and wind
 energy property expenditures, a subtraction modification to permit the
 carryforward of certain net operating losses for individuals and a
 subtraction modification for the federal work opportunity tax credit and
 the employee retention credit disallowances.**
 01/31/2023 Senate—Introduced—SJ 56
 02/01/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 59
 02/01/2023 Senate—Hearing: Wednesday, February 8, 2023, 9:30 AM Room 548-S
 02/22/2023 Senate—Committee Report recommending bill be passed as amended by
 Committee on Assessment and Taxation—SJ 141
S 127 Bill by Assessment and Taxation
Providing countywide retailers' sales tax authority for Dickinson county.
 01/31/2023 Senate—Introduced—SJ 56
 02/01/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 59
 02/22/2023 Senate—Hearing: Thursday, March 2, 2023, 9:30 AM Room 548-S
 03/08/2023 Senate—Committee Report recommending bill be passed by Committee on
 Assessment and Taxation—SJ 218
 03/15/2023 Senate—Committee of the Whole - Be passed—SJ 238

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- 03/15/2023 Senate—Emergency Final Action - Passed; Yea: 35 Nay: 1—SJ 238
03/16/2023 House—Received and Introduced—HJ 429
03/17/2023 House—Referred to Committee on Taxation—HJ 443
- S 128** Bill by Senators Straub, Peck, Steffen, Thompson
Establishing the ad astra opportunity tax credit to provide an income tax credit for taxpayers with eligible dependent children not enrolled in public school.
01/31/2023 Senate—Introduced—SJ 56
02/01/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 59
02/01/2023 Senate—Hearing: Thursday, February 9, 2023, 9:30 AM Room 548-S
02/09/2023 Senate—Hearing continuation: Friday, February 10, 2023, 9:30 AM Room 548-S
02/10/2023 Senate—Hearing continuation: Monday, February 13, 2023, 9:30 AM Room 548-S
03/24/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 305
- S 129** Bill by Assessment and Taxation
Providing a sales tax exemption for purchases of personal property or services by doorstep, inc.
02/01/2023 Senate—Introduced—SJ 58
02/02/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 63
02/22/2023 Senate—Hearing: Wednesday, March 1, 2023, 9:30 AM Room 548-S
- S 130** Bill by Assessment and Taxation
Requiring certain license plates to have the motor vehicle county of registration identified on the plate.
02/01/2023 Senate—Introduced—SJ 58
02/02/2023 Senate—Referred to Committee on Transportation—SJ 63
02/06/2023 Senate—Hearing: Thursday, February 9, 2023, 8:30 AM Room 546-S
02/14/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 99
02/15/2023 Senate—Committee of the Whole - Be passed as amended—SJ 105
02/15/2023 Senate—Emergency Final Action - Passed as amended; Yea: 32 Nay: 4—SJ 107
02/17/2023 House—Received and Introduced—HJ 251
02/20/2023 House—Referred to Committee on Transportation—HJ 260
03/08/2023 House—Hearing: Monday, March 13, 2023, 1:30 PM Room 582-N
- S 131** Bill by Public Health and Welfare
Substitute for SB 131 by Committee on Public Health and Welfare - Authorizing the state board of healing arts to issue a sports waiver to practice healing arts professions in this state on a limited basis during certain sporting events, authorizing pharmacy technicians to administer certain vaccines, licensing of professional counselors, social workers, marriage and family therapists, addiction counselors, behavior analysts, psychologists and master's level psychologists, requiring the behavioral sciences regulatory board to process applications within a certain time and establish an expedited application process, establishing license categories for applicants from social work programs in candidacy for accreditation and for temporary reinstatement; extending the license period of temporary licenses, establishing a community-based license for certain licensed professions.
02/01/2023 Senate—Introduced—SJ 58
02/02/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 63
02/15/2023 Senate—Hearing: Friday, February 17, 2023, 8:30 AM Room 142-S

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- 02/22/2023 Senate—Committee Report recommending substitute bill be passed by Committee on Public Health and Welfare—SJ 158
- 02/23/2023 Senate—Committee of the Whole - Committee Report be adopted recommending substitute bill be passed—SJ 191
- 02/23/2023 Senate—Committee of the Whole - Substitute bill be passed—SJ 191
- 02/23/2023 Senate—Emergency Final Action - Substitute passed; Yea: 39 Nay: 0—SJ 195
- 03/01/2023 House—Received and Introduced—HJ 353
- 03/02/2023 House—Referred to Committee on Health and Human Services—HJ 360
- 03/08/2023 House—Hearing: Monday, March 13, 2023, 1:30 PM Room 112-N
- 03/14/2023 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 411
- 03/27/2023 House—Committee of the Whole - Committee Report be adopted—HJ 528
- 03/27/2023 House—Committee of the Whole - Amendment by Representative Eplee was adopted—HJ 528
- 03/27/2023 House—Committee of the Whole - Be passed as amended—HJ 528
- 03/27/2023 House—Emergency Final Action - Passed as amended; Yea: 114 Nay: 9—HJ 546
- 03/28/2023 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Gossage, Senator Erickson and Senator Pettey as conferees—SJ 361
- 03/29/2023 House—Motion to accede adopted; Representative Landwehr, Representative Eplee and Representative Ruiz, S. appointed as conferees—HJ 589
- 04/27/2023 House—Motion to suspend Joint Rule 4 (k) to allow consideration adopted; —HJ 1318
- 04/27/2023 House—Conference Committee Report was adopted; Yea: 118 Nay: 4—HJ 1320
- 04/27/2023 Senate—Motion to suspend Joint Rule 4 (k) to allow consideration adopted; —SJ 1215
- 04/27/2023 Senate—Conference Committee Report was adopted; Yea: 38 Nay: 2—SJ 1265
- 04/28/2023 Senate—Enrolled and presented to Governor on Friday, May 5, 2023—SJ 1359
- 04/28/2023 Senate—Approved by Governor on Tuesday, May 9, 2023—SJ 1360
- S 132** Bill by Senators Pittman, Faust-Goudeau, Haley
Providing for the buffalo soldier distinctive license plate.
- 02/01/2023 Senate—Introduced—SJ 58
- 02/02/2023 Senate—Referred to Committee on Transportation—SJ 63
- 02/08/2023 Senate—Hearing: Wednesday, February 15, 2023, 8:30 AM Room 546-S
- 02/16/2023 Senate—Committee Report recommending bill be passed by Committee on Transportation—SJ 116
- 02/21/2023 Senate—Committee of the Whole - Be passed—SJ 129
- 02/22/2023 Senate—Final Action - Passed; Yea: 39 Nay: 0—SJ 139
- 02/22/2023 House—Received and Introduced—HJ 301
- 02/23/2023 House—Referred to Committee on Transportation—HJ 308
- 03/08/2023 House—Hearing: Wednesday, March 8, 2023, 1:30 PM Room 582-N
- 03/14/2023 House—Committee Report recommending bill be passed as amended by Committee on Transportation—HJ 412
- 03/29/2023 House—Committee of the Whole - Committee Report be adopted—HJ 583
- 03/29/2023 House—Committee of the Whole - Be passed as amended—HJ 583
- 03/29/2023 House—Emergency Final Action - Passed as amended; Yea: 94 Nay: 30—HJ 585

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- 04/04/2023 Senate—Concurred with amendments; Yea: 40 Nay: 0—SJ 414
04/24/2023 Senate—Enrolled and presented to Governor on Friday, April 14, 2023—SJ 1085
- S 133** 04/24/2023 Senate—Approved by Governor on Thursday, April 20, 2023—SJ 1085
Bill by Federal and State Affairs
Providing for the enforcement of donor-imposed restrictions on philanthropic gifts of endowment funds or property to charitable organizations.
- 02/01/2023 Senate—Introduced—SJ 58
02/02/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 63
02/15/2023 Senate—Hearing: Monday, February 20, 2023, 10:30 AM Room 144-S
03/01/2023 Senate—Hearing: Friday, March 10, 2023, 10:30 AM Room 144-S
- S 134** Bill by Federal and State Affairs
Adding members to the commission on peace officers' standards and training and requiring the new members to be appointed with a preference to increase diversity.
- 02/01/2023 Senate—Introduced—SJ 58
02/02/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 63
- S 135** Bill by Federal and State Affairs
Creating the medical cannabis regulation act to regulate the cultivation, processing, distribution, sale and use of medical cannabis.
- 02/01/2023 Senate—Introduced—SJ 58
02/02/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 63
03/08/2023 Senate—Hearing: Wednesday, March 15, 2023, 10:30 AM Room 144-S
03/08/2023 Senate—Hearing: Thursday, March 16, 2023, 10:30 AM Room 144-S
- S 136** Bill by Commerce
Providing a tax credit for the installation of certain water conservation systems in newly constructed houses.
- 02/01/2023 Senate—Introduced—SJ 59
02/02/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 63
- S 137** Bill by Senator Holscher
Creating the responsible gun ownership act and establishing the crime of unlawful storage of a firearm.
- 02/01/2023 Senate—Introduced—SJ 59
02/02/2023 Senate—Referred to Committee on Judiciary—SJ 63
- S 138** Bill by Assessment and Taxation
Expanding and clarifying the property tax exemption for Strother field airport property, increasing the extent of exemption for residential property from the statewide school levy, discontinuing the state tax levies for the Kansas educational building fund and the state institutions building fund and providing financing therefor from the state general fund.
- 02/02/2023 Senate—Introduced—SJ 60
02/03/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 66
02/08/2023 Senate—Hearing: Thursday, February 16, 2023, 9:30 AM Room 548-S
02/22/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 149
- S 139** Bill by Senators Sykes, Blasi
Expanding newborn screening services and increasing transfer from the medical assistance fee fund to the Kansas newborn screening fund.
- 02/02/2023 Senate—Introduced—SJ 60
02/03/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 66
02/23/2023 Senate—Withdrawn from Committee on Public Health and Welfare; Referred to Committee on Ways and Means—SJ 198
03/01/2023 Senate—Withdrawn from Committee on Ways and Means; Rereferred to

- Committee on Public Health and Welfare—SJ 203
- S 140** Bill by Senators Pittman, Corson, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Pettey, Reddi, Sykes, Ware
Allowing cities, counties or other local units of government to raise the minimum wage by ordinance, resolution or law.
 02/02/2023 Senate—Introduced—SJ 60
 02/03/2023 Senate—Referred to Committee on Commerce—SJ 66
- S 141** Bill by Senator Holland
Requiring the attorney general to carry out certain duties related to investigating corruption committed by a public officer or public employee.
 02/02/2023 Senate—Introduced—SJ 61
 02/03/2023 Senate—Referred to Committee on Judiciary—SJ 66
- S 142** Bill by Transportation
Requiring drivers to proceed with due caution when passing stationary vehicles displaying hazard warning lights and providing a penalty for violation thereof.
 02/02/2023 Senate—Introduced—SJ 61
 02/03/2023 Senate—Referred to Committee on Transportation—SJ 66
- S 143** Bill by Transportation
Allowing for the use of ground effect lighting on motor vehicles.
 02/02/2023 Senate—Introduced—SJ 61
 02/03/2023 Senate—Referred to Committee on Transportation—SJ 66
 02/06/2023 Senate—Hearing: Wednesday, February 8, 2023, 8:30 AM Room 546-S
 02/09/2023 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Transportation—SJ 89
 02/15/2023 Senate—Consent Calendar Passed Yea: 38 Nay: 0—SJ 106
 02/16/2023 House—Received and Introduced—HJ 235
 02/17/2023 House—Referred to Committee on Transportation—HJ 251
 02/21/2023 House—Hearing: Thursday, March 2, 2023, 1:30 PM Room 582-N
- S 144** Bill by Utilities
Exempting satellite service and video programming services accessed over the internet from the video competition act.
 02/02/2023 Senate—Introduced—SJ 61
 02/03/2023 Senate—Referred to Committee on Utilities—SJ 66
 02/08/2023 Senate—Hearing: Thursday, February 16, 2023, 1:30 PM Room 548-S
 02/17/2023 Senate—Committee Report recommending bill be passed by Committee on Utilities—SJ 118
 02/21/2023 Senate—Committee of the Whole - Be passed—SJ 129
 02/22/2023 Senate—Final Action - Passed; Yea: 32 Nay: 6—SJ 139
 02/22/2023 House—Received and Introduced—HJ 301
 02/23/2023 House—Referred to Committee on Energy, Utilities and Telecommunications—HJ 308
 03/01/2023 House—Hearing: Thursday, March 9, 2023, 9:00 AM Room 582-N
 03/16/2023 House—Committee Report recommending bill be passed by Committee on Energy, Utilities and Telecommunications—HJ 440
 03/29/2023 House—Committee of the Whole - Be passed—HJ 583
 03/29/2023 House—Emergency Final Action - Passed; Yea: 124 Nay: 0—HJ 586
 04/04/2023 Senate—Enrolled and presented to Governor on Tuesday, April 4, 2023—SJ 415
 04/24/2023 Senate—Approved by Governor on Thursday, April 13, 2023—SJ 1085
- S 145** Bill by Education
Requiring statutory due process procedures for a school district's non-renewal or termination of a teacher contract.

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- 02/02/2023 Senate—Introduced—SJ 61
02/03/2023 Senate—Referred to Committee on Education—SJ 66
- S 146** Bill by Senator Holland
Requiring the attorney general to carry out certain duties related to investigating sexual abuse committed by a minister of religion.
- 02/02/2023 Senate—Introduced—SJ 61
02/03/2023 Senate—Referred to Committee on Judiciary—SJ 66
- S 147** Bill by Senator Blasi
Increasing the income tax credit amount for adoption expenses and making the credit refundable and increasing the income tax credit amount for household and dependent care expenses.
- 02/02/2023 Senate—Introduced—SJ 61
02/03/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 66
02/22/2023 Senate—Hearing: Wednesday, March 1, 2023, 9:30 AM Room 548-S
03/16/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 254
03/27/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 324
03/27/2023 Senate—Committee of the Whole - Amendment by Senator Sykes was adopted—SJ 324
03/27/2023 Senate—Committee of the Whole - Amendment by Senator Holland was adopted—SJ 325
03/27/2023 Senate—Committee of the Whole - Amendment by Senator Pittman was adopted—SJ 325
03/27/2023 Senate—Committee of the Whole - Be passed as further amended—SJ 325
03/28/2023 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 345
03/29/2023 House—Received and Introduced—HJ 566
04/03/2023 House—Referred to Committee on Taxation—HJ 594
- S 148** Bill by Public Health and Welfare
Enacting the ensuring transparency in prior authorization act to impose requirements and limitations on the use of prior authorization in healthcare.
- 02/02/2023 Senate—Introduced—SJ 61
02/03/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 66
- S 149** Bill by Federal and State Affairs
Expanding the crime of promoting obscenity to minors to include drag performances.
- 02/02/2023 Senate—Introduced—SJ 61
02/03/2023 Senate—Referred to Committee on Judiciary—SJ 66
- S 150** Bill by Ways and Means
Authorizing the division of printing to print for local governments and schools.
- 02/02/2023 Senate—Introduced—SJ 61
02/03/2023 Senate—Referred to Committee on Local Government—SJ 66
- S 151** Bill by Ways and Means
Concerning state agencies; relating to the employee award and recognition program; authorizing hiring, recruitment and retention bonuses; increasing the limitation on such award or bonus to \$10,000; eliminating the secretary of administration's authority to adopt rules and regulations; and requiring such secretary to submit an annual report to certain legislative committees concerning such awards and bonuses.
- 02/02/2023 Senate—Introduced—SJ 61
02/03/2023 Senate—Referred to Committee on Ways and Means—SJ 66
- S 152** Bill by Ways and Means
Concerning the salaries of the governor, lieutenant governor, attorney general,

secretary of state, state treasurer, commissioner of insurance, justices of the supreme court, judges of the court of appeals and members of the governor's cabinet; establishing the rate of pay for such state officers based on the annual rate of pay for members of congress, as adjusted by the specific provisions of this act; and providing that all such rates of pay are subject to appropriations.

02/02/2023 Senate—Introduced—SJ 62
 02/03/2023 Senate—Referred to Committee on Ways and Means—SJ 66
 04/03/2023 Senate—Hearing: Tuesday, April 4, 2023, 9:00 AM Room 548-S
 04/05/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 463

S 153 Bill by Ways and Means
Making and concerning supplemental appropriations for fiscal years 2023 and 2024 for various state agencies.

02/02/2023 Senate—Introduced—SJ 62
 02/03/2023 Senate—Referred to Committee on Ways and Means—SJ 66
 02/22/2023 Senate—Hearing: Wednesday, March 1, 2023, 10:30 AM Room 548-S

S 154 Bill by Senator Haley
Limiting the amount of fees, taxes and other charges on a utility bill assessed by a board of public utilities.

02/02/2023 Senate—Introduced—SJ 62
 02/03/2023 Senate—Referred to Committee on Utilities—SJ 66

S 155 Bill by Ways and Means
Substitute for SB 155 by Committee on Ways and Means - Making and concerning appropriations for fiscal years 2023, 2024, 2025 and 2026 for various state agencies.

02/02/2023 Senate—Introduced—SJ 62
 02/03/2023 Senate—Referred to Committee on Ways and Means—SJ 66
 02/22/2023 Senate—Hearing: Wednesday, March 1, 2023, 10:30 AM Room 548-S
 03/13/2023 Senate—Committee Report recommending substitute bill be passed by Committee on Ways and Means—SJ 229
 03/16/2023 Senate—Committee of the Whole - Committee Report be adopted recommending substitute bill be passed—SJ 244
 03/16/2023 Senate—Committee of the Whole - Amendment by Senator Blasi was adopted—SJ 244
 03/16/2023 Senate—Committee of the Whole - Amendment by Senator Pettey was rejected—SJ 245
 03/16/2023 Senate—Committee of the Whole - Amendment by Senator Tyson was adopted—SJ 244
 03/16/2023 Senate—Committee of the Whole - Amendment by Senator Tyson was rejected—SJ 254
 03/16/2023 Senate—Committee of the Whole - Amendment by Senator Reddi was rejected Yea: 11 Nay: 25—SJ 249
 03/16/2023 Senate—Committee of the Whole - Amendment by Senator Pettey was adopted—SJ 252
 03/16/2023 Senate—Committee of the Whole - Amendment by Senator Pittman was rejected Yea: 11 Nay: 22—SJ 252
 03/16/2023 Senate—Committee of the Whole - Amendment by Senator Francisco was rejected—SJ 254
 03/16/2023 Senate—Committee of the Whole - Amendment by Senator Holland was rejected—SJ 254
 03/16/2023 Senate—Committee of the Whole - Amendment by Senator Pyle was rejected Yea: 9 Nay: 17—SJ 253

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- 03/16/2023 Senate—Committee of the Whole - Amendment by Senator Tyson was adopted Yea: 17 Nay: 9—SJ 247
- 03/16/2023 Senate—Committee of the Whole - Amendment by Senator Tyson was adopted—SJ 246
- 03/16/2023 Senate—Committee of the Whole - Substitute bill be passed as amended—SJ 249
- 03/21/2023 Senate—Final Action - Substitute passed as amended; Yea: 23 Nay: 12—SJ 267
- 03/23/2023 House—Received and Introduced—HJ 489
- 03/24/2023 House—Referred to Committee on Appropriations—HJ 505
- S 156** Bill by Federal and State Affairs
Repealing statutes that prohibit, limit and otherwise restrict municipal regulation of firearms.
- 02/02/2023 Senate—Introduced—SJ 62
- 02/03/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 66
- S 157** Bill by Federal and State Affairs
Designating February 15 of each year as Susan B. Anthony Day in the state of Kansas.
- 02/02/2023 Senate—Introduced—SJ 62
- 02/03/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 66
- S 158** Bill by Federal and State Affairs
Enacting the community defense and human trafficking reduction act to regulate sexually oriented businesses and human trafficking and to impose criminal penalties.
- 02/02/2023 Senate—Introduced—SJ 62
- 02/03/2023 Senate—Referred to Committee on Judiciary—SJ 66
- S 159** Bill by Federal and State Affairs
Creating the Kansas rural grocery store development incentive act to provide tax incentives for the development of grocery businesses in rural areas of the state.
- 02/02/2023 Senate—Introduced—SJ 62
- 02/03/2023 Senate—Referred to Committee on Commerce—SJ 66
- S 160** Bill by Federal and State Affairs
Require commercial entities that produce material harmful to minors on the internet to require age verification for access to such internet sites, establishing a civil cause of action against such commercial entities by persons harmed to recover actual and punitive damages, court costs and attorney fees.
- 02/02/2023 Senate—Introduced—SJ 62
- 02/03/2023 Senate—Referred to Committee on Judiciary—SJ 66
- S 161** Bill by Public Health and Welfare
Imposing certain health insurance coverage requirements for screening and diagnostic examinations for breast cancer.
- 02/02/2023 Senate—Introduced—SJ 63
- 02/03/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 66
- S 162** Bill by Local Government
Creating the Riley county unincorporated area nuisance abatement act to establish procedures for the removal and abatement of nuisances in the unincorporated areas of the county and the assessment of the costs for such abatement.
- 02/06/2023 Senate—Introduced—SJ 67
- 02/07/2023 Senate—Referred to Committee on Local Government—SJ 72
- 02/13/2023 Senate—Hearing: Tuesday, February 14, 2023, 9:30 AM Room 142-S

- S 163** Bill by Local Government
Creating the Dwayne Peaslee technical training center district act to authorize the establishment of the Dwayne Peaslee technical training center district in Douglas county.
 02/06/2023 Senate—Introduced—SJ 67
 02/07/2023 Senate—Referred to Committee on Local Government—SJ 72
 02/13/2023 Senate—Hearing: Tuesday, February 14, 2023, 9:30 AM Room 142-S
 02/16/2023 Senate—Committee Report recommending bill be passed by Committee on Local Government—SJ 116
 02/23/2023 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 198
 03/01/2023 Senate—Withdrawn from Committee on Ways and Means and re-referred to Committee of the Whole—SJ 203
- S 164** Bill by Commerce
Providing a \$2,000 tax credit for qualified employees of licensed child care facilities.
 02/06/2023 Senate—Introduced—SJ 67
 02/07/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 72
 02/22/2023 Senate—Hearing: Wednesday, March 1, 2023, 9:30 AM Room 548-S
- S 165** Bill by Commerce
Permitting workers compensation benefits for first responders who suffer from post-traumatic stress disorder.
 02/06/2023 Senate—Introduced—SJ 67
 02/07/2023 Senate—Referred to Committee on Commerce—SJ 72
- S 166** Bill by Utilities
Requiring public disclosure of an application for a transmission line siting permit under the jurisdiction of the state corporation commission.
 02/06/2023 Senate—Introduced—SJ 67
 02/07/2023 Senate—Referred to Committee on Utilities—SJ 72
 02/08/2023 Senate—Hearing: Wednesday, February 15, 2023, 1:30 PM Room 548-S
 02/20/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Utilities—SJ 127
 02/23/2023 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 198
 03/01/2023 Senate—Withdrawn from Committee on Ways and Means and re-referred to Committee of the Whole—SJ 203
- S 167** Bill by Education
Requiring certain school district employees to receive training for seizure recognition and related first aid.
 02/06/2023 Senate—Introduced—SJ 67
 02/07/2023 Senate—Referred to Committee on Education—SJ 72
- S 168** Bill by Assessment and Taxation
Authorizing cities and counties to exempt sales of food and food ingredients from sales taxes levied by such city or county.
 02/06/2023 Senate—Introduced—SJ 67
 02/07/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 72
 02/08/2023 Senate—Hearing: Thursday, February 16, 2023, 9:30 AM Room 548-S
- S 169** Bill by Taxation
House Substitute for SB 169 by Committee on Taxation - providing an income tax rate of 5.15% for individuals and decreasing the normal tax for corporations, increasing the income limit for the income tax subtraction modification for social security income, increasing the standard deduction by a cost-of-living adjustment, discontinuing the food sales tax credit,

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decreasing the privilege tax normal tax, establishing a 0% state rate for sales and use taxes for food and food ingredients on January 1, 2024, and increasing the extent of property tax exemption for residential property from the statewide school levy.

- 02/07/2023 Senate—Introduced—SJ 68
02/08/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 79
02/08/2023 Senate—Hearing: Wednesday, February 15, 2023, 9:30 AM Room 548-S
02/20/2023 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 124
02/23/2023 Senate—Committee of the Whole - Amendment by Senator Holland was rejected—SJ 171
02/23/2023 Senate—Committee of the Whole - Be passed—SJ 171
02/23/2023 Senate—Emergency Final Action - Passed; Yea: 22 Nay: 17—SJ 196
03/01/2023 House—Received and Introduced—HJ 353
03/02/2023 House—Referred to Committee on Taxation—HJ 360
03/08/2023 House—Hearing: Monday, March 13, 2023, 3:30 PM Room 346-S
03/27/2023 House—Committee Report recommending substitute bill be passed by Committee on Taxation—HJ 525
03/28/2023 House—Committee of the Whole - Committee Report be adopted recommending substitute bill be passed—HJ 558
03/28/2023 House—Committee of the Whole - Amendment by Representative Smith, A. was adopted—HJ 558
03/28/2023 House—Committee of the Whole - Amendment by Representative Sawyer was adopted Yea: 97 Nay: 23—HJ 559
03/28/2023 House—Committee of the Whole - Amendment by Representative Sawyer Clayton was rejected—HJ 559
03/28/2023 House—Committee of the Whole - Amendment by Representative Stogsdill was adopted—HJ 559
03/28/2023 House—Committee of the Whole - Amendment by Representative Stogsdill was withdrawn—HJ 559
03/28/2023 House—Committee of the Whole - Substitute bill be passed as amended—HJ 559
03/29/2023 House—Final Action - Substitute passed as amended; Yea: 94 Nay: 30—HJ 578
04/03/2023 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Tyson, Senator Peck and Senator Holland as conferees—SJ 399
04/03/2023 House—Motion to accede adopted; Representative Smith, A., Representative Bergkamp and Representative Sawyer appointed as conferees—HJ 603
04/05/2023 House—Conference Committee Report agree to disagree adopted; Representative Smith, A., Representative Bergkamp and Representative Sawyer appointed as second conferees—HJ 633
04/05/2023 Senate—Conference Committee Report agree to disagree adopted; Senator Tyson, Senator Peck and Senator Holland appointed as second conferees—SJ 453
04/06/2023 House—Conference Committee Report was adopted; Yea: 85 Nay: 38—HJ 1111
04/06/2023 Senate—Conference Committee Report was adopted; Yea: 24 Nay: 13—SJ 1016
04/24/2023 Senate—Enrolled and presented to Governor on Friday, April 14, 2023—SJ 1085
04/24/2023 Senate—Vetoed by Governor; Returned to Senate on Monday, April 24,

- 2023—SJ 1094
 04/26/2023 Senate—Motion to override veto failed; Veto sustained; Yea: 26 Nay: 14—SJ 1096
 04/27/2023 Senate—Motion to reconsider previous action failed. Yea: 25 Nay: 14—SJ 1267
- S 170** Bill by Federal and State Affairs
Enacting the Kansas assistance animals in housing act, authorizing housing providers to require documentation of the need for an assistance animal and creating the crime of misrepresentation of entitlement to an assistance animal in housing.
 02/07/2023 Senate—Introduced—SJ 68
 02/08/2023 Senate—Referred to Committee on Judiciary—SJ 79
- S 171** Bill by Senators Holland, Corson, Doll, Faust-Goudeau, Francisco, Haley, Pettey, Pittman
Creating the veterans first medical cannabis act to regulate the cultivation, distribution, sale, possession and use of medical cannabis.
 02/07/2023 Senate—Introduced—SJ 68
 02/08/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 79
- S 172** Bill by Ways and Means
Increasing the KPERS lump-sum death benefit from \$4,000 to \$6,000.
 02/07/2023 Senate—Introduced—SJ 69
 02/08/2023 Senate—Referred to Committee on Ways and Means—SJ 79
 02/10/2023 Senate—Hearing: Wednesday, February 15, 2023, 10:30 AM Room 548-S
 03/06/2023 Senate—Committee Report recommending bill be passed by Committee on Ways and Means—SJ 212
- S 173** Bill by Public Health and Welfare
Authorizing the over-the-counter purchase of ivermectin tablets and hydroxychloroquine tablets.
 02/07/2023 Senate—Introduced—SJ 69
 02/08/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 79
- S 174** Bill by Judiciary
Increasing the criminal penalties for battery of a healthcare provider, adding the placing of controlled substances into pills into the definition of manufacture, increasing the criminal penalties for manufacturing fentanyl and for manufacturing or distributing any controlled substances that are likely to be attractive to minors because of their appearance or packaging, creating a special sentencing rule to make sentences for distributing fentanyl presumptive imprisonment, excluding materials used to detect the presence of fentanyl, ketamine or gamma hydroxybutyric acid from the definition of drug paraphernalia, adding domestic battery and violation of a protection order to the crimes that a person can have the intent to commit when committing burglary or aggravated burglary, increasing criminal penalties for the crime of interference with law enforcement when the violation involves fleeing from a law enforcement officer and authorizing the attorney general to prosecute certain crimes that are part of an alleged course of criminal conduct that occurred in two or more counties.
 02/07/2023 Senate—Introduced—SJ 69
 02/08/2023 Senate—Referred to Committee on Judiciary—SJ 79
 02/08/2023 Senate—Hearing: Tuesday, February 14, 2023, 10:30 AM Room 346-S
 02/20/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 125
 02/22/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 140

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- 02/22/2023 Senate—Committee of the Whole - Be passed as amended—SJ 140
02/23/2023 Senate—Final Action - Passed as amended; Yea: 32 Nay: 6—SJ 164
03/01/2023 House—Received and Introduced—HJ 353
03/02/2023 House—Referred to Committee on Corrections and Juvenile Justice—HJ 360
03/02/2023 House—Hearing: Wednesday, March 8, 2023, 1:30 PM Room 546-S
03/27/2023 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 510
03/28/2023 House—Committee of the Whole - Committee Report be adopted—HJ 562
03/28/2023 House—Committee of the Whole - Amendment by Representative Curtis was rejected—HJ 562
03/28/2023 House—Committee of the Whole - Amendment by Representative Carmichael was rejected—HJ 562
03/28/2023 House—Committee of the Whole - Be passed as amended—HJ 562
03/29/2023 House—Final Action - Passed as amended; Yea: 84 Nay: 40—HJ 579
04/03/2023 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Warren, Senator Wilborn and Senator Corson as conferees—SJ 399
04/03/2023 House—Motion to accede adopted; Representative Owens, Representative Smith, E. and Representative Highberger appointed as conferees—HJ 603
04/27/2023 House—Motion to suspend Joint Rule 4 (k) to allow consideration adopted; —HJ 1318
04/27/2023 House—Conference Committee Report was adopted; Yea: 113 Nay: 9—HJ 1318
04/27/2023 Senate—Motion to suspend Joint Rule 4 (k) to allow consideration adopted; —SJ 1215
04/27/2023 Senate—Conference Committee Report was adopted; Yea: 31 Nay: 7—SJ 1266
04/28/2023 Senate—Enrolled and presented to Governor on Friday, May 5, 2023—SJ 1359
04/28/2023 Senate—Approved by Governor on Thursday, May 11, 2023—SJ 1360
- S 175** Bill by Public Health and Welfare
Prohibiting abortion procedures and creating the crimes of unlawful performance of an abortion and unlawful destruction of a fertilized embryo.
- 02/07/2023 Senate—Introduced—SJ 69
- S 176** Bill by Public Health and Welfare
Increasing the membership of the behavioral sciences regulatory board, decreasing the years of practice required for reciprocity licensure of certain professions, extending the license period for temporary licenses, establishing new license categories, providing additional continuing education requirements and requiring that clinical social work supervisors be approved by the board.
- 02/07/2023 Senate—Introduced—SJ 69
- 02/08/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 79
- S 177** Bill by Senators Faust-Goudeau, Haley
Declaring Juneteenth National Independence Day to be a legal public holiday and closing state offices for certain legal public holidays.
- 02/07/2023 Senate—Introduced—SJ 69
- 02/08/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 79
- S 178** Bill by Senator Haley
Requiring judicial foreclosure tax sales by public auction to be held in person at a physical location in the county.

- 02/07/2023 Senate—Introduced—SJ 70
 02/08/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 79
- S 179** Bill by Senator Haley
Providing that payment of special assessments for years other than the year being redeemed is not required for purposes of partial redemption of homesteads with delinquent property taxes.
- 02/07/2023 Senate—Introduced—SJ 70
 02/08/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 79
- S 180** Bill by Public Health and Welfare
Establishing the women's bill of rights to provide a meaning of biological sex for purposes of statutory construction.
- 02/07/2023 Senate—Introduced—SJ 70
 02/08/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 79
 02/08/2023 Senate—Hearing: Wednesday, February 15, 2023, 8:30 AM Room 142-S
 02/20/2023 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 125
 02/22/2023 Senate—Committee of the Whole - Be passed—SJ 140
 02/23/2023 Senate—Final Action - Passed; Yea: 26 Nay: 11—SJ 165
 03/01/2023 House—Received and Introduced—HJ 353
 03/01/2023 House—Hearing: Monday, March 6, 2023, 1:30 PM Room 112-N
 03/02/2023 House—Referred to Committee on Health and Human Services—HJ 360
 03/08/2023 House—Committee Report recommending bill be passed by Committee on Health and Human Services—HJ 385
 03/13/2023 House—Withdrawn from Calendar, Rereferred to Committee on Health and Human Services—HJ 396
 03/20/2023 House—Committee Report recommending bill be passed as amended by Committee on Health and Human Services—HJ 461
 03/28/2023 House—Committee of the Whole - Committee Report be adopted—HJ 561
 03/28/2023 House—Committee of the Whole - Be passed as amended—HJ 561
 03/29/2023 House—Final Action - Passed as amended; Yea: 83 Nay: 41—HJ 580
 04/04/2023 Senate—Concurred with amendments; Yea: 28 Nay: 12—SJ 414
 04/24/2023 Senate—Enrolled and presented to Governor on Friday, April 14, 2023—SJ 1085
 04/24/2023 Senate—Vetoed by Governor; Returned to Senate on Thursday, April 20, 2023—SJ 1094
 04/26/2023 Senate—Motion to override veto prevailed; Yea: 28 Nay: 12—SJ 1096
 04/27/2023 House—Motion to override veto prevailed; Yea: 84 Nay: 40—HJ 1312
- S 181** Bill by Public Health and Welfare
Authorizing establishment of city or county child death review boards and permitting disclosure of records and information related to child deaths.
- 02/07/2023 Senate—Introduced—SJ 70
 02/08/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 79
- S 182** Bill by Senator Haley
Requiring a person convicted of an offense that resulted in the incapacitation or death of a victim who is the parent or guardian of a minor child to pay restitution in the form of child support.
- 02/07/2023 Senate—Introduced—SJ 70
 02/08/2023 Senate—Referred to Committee on Judiciary—SJ 79
- S 183** Bill by Senator Haley
Increasing the penalty for certain violations of criminal discharge of a firearm when a person was present in the dwelling, building, structure or motor vehicle at which the offender discharged a firearm.
- 02/07/2023 Senate—Introduced—SJ 70

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- 02/08/2023 Senate—Referred to Committee on Judiciary—SJ 79
- S 184** Bill by Senator Holscher
Requiring nonpublic schools to participate in certain assessments and publish on their website performance accountability reports and longitudinal achievement reports.
- 02/07/2023 Senate—Introduced—SJ 70
- 02/08/2023 Senate—Referred to Committee on Education—SJ 79
- S 185** Bill by Senator Holscher
Authorizing school districts to include a teacher representative and a student representative as non-voting members of its board of education.
- 02/07/2023 Senate—Introduced—SJ 70
- 02/08/2023 Senate—Referred to Committee on Education—SJ 79
- S 186** Bill by Senator Haley
Creating the crime of deprivation of rights under color of law and providing a civil action for victims.
- 02/07/2023 Senate—Introduced—SJ 70
- 02/08/2023 Senate—Referred to Committee on Judiciary—SJ 79
- S 187** Bill by Senator Haley
Providing for payment of interest in civil actions for wrongful conviction and directing the attorney general to seek damages for the state from any person who knowingly contributed to the wrongful conviction and prosecute ouster and criminal proceedings as warranted.
- 02/07/2023 Senate—Introduced—SJ 70
- 02/08/2023 Senate—Referred to Committee on Judiciary—SJ 79
- S 188** Bill by Judiciary
Removing an affirmative defense for public, private and parochial schools from the crime of promotion to minors of material harmful to minors.
- 02/07/2023 Senate—Introduced—SJ 70
- 02/08/2023 Senate—Referred to Committee on Judiciary—SJ 79
- S 189** Bill by Judiciary
Authorizing state and local law enforcement agencies to receive files and information about an applicant from other agencies that received an application for employment from the applicant or conducted an employment background investigation on the applicant.
- 02/07/2023 Senate—Introduced—SJ 71
- 02/08/2023 Senate—Referred to Committee on Judiciary—SJ 79
- 02/08/2023 Senate—Hearing: Tuesday, February 14, 2023, 10:30 AM Room 346-S
- 02/15/2023 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 109
- 02/21/2023 Senate—Committee of the Whole - Be passed—SJ 129
- 02/22/2023 Senate—Final Action - Passed; Yea: 39 Nay: 0—SJ 140
- 02/22/2023 House—Received and Introduced—HJ 301
- 02/23/2023 House—Referred to Committee on Judiciary—HJ 308
- 03/03/2023 House—Hearing: Tuesday, March 7, 2023, 3:30 PM Room 582-N
- 03/21/2023 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 472
- 03/27/2023 House—Committee of the Whole - Committee Report be adopted—HJ 509
- 03/27/2023 House—Committee of the Whole - Be passed as amended—HJ 509
- 03/27/2023 House—Emergency Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 536
- 03/28/2023 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Warren, Senator Wilborn and Senator Corson as conferees—SJ 361

- 03/29/2023 House—Motion to accede adopted; Representative Patton, Representative Schreiber and Representative Carmichael appointed as conferees—HJ 589
- 04/05/2023 House—Conference Committee Report was adopted; Yea: 123 Nay: 0—HJ 667
- 04/06/2023 Senate—Conference Committee Report was adopted; Yea: 40 Nay: 0—SJ 478
- 04/24/2023 Senate—Enrolled and presented to Governor on Friday, April 14, 2023—SJ 1085
- 04/24/2023 Senate—Approved by Governor on Thursday, April 20, 2023—SJ 1085
- S 190** Bill by Judiciary
Requiring a waiver of extradition proceedings as a condition of release prior to trial for any person charged with a felony.
- 02/07/2023 Senate—Introduced—SJ 71
- 02/08/2023 Senate—Referred to Committee on Judiciary—SJ 79
- S 191** Bill by Judiciary
Establishing requirements for the involuntary discharge or transfer of a resident in an adult residential care facility, the right to appeal such discharge or transfer and a process for such appeal.
- 02/07/2023 Senate—Introduced—SJ 71
- 02/08/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 79
- 02/09/2023 Senate—Hearing: Thursday, February 16, 2023, 8:30 AM Room 142-S
- S 192** Bill by Judiciary
Providing for payment plans and waiver of fines for traffic fines and court costs, expanding the eligibility for restricted driving privileges, removing and delaying payment for certain fees and eliminating reinstatement of certain fees.
- 02/07/2023 Senate—Introduced—SJ 71
- 02/08/2023 Senate—Referred to Committee on Judiciary—SJ 79
- S 193** Bill by Judiciary
Enacting the reduce armed violence act to increase the criminal penalties for certain violations of criminal possession of a weapon by a convicted felon that involve firearms.
- 02/07/2023 Senate—Introduced—SJ 71
- 02/08/2023 Senate—Referred to Committee on Judiciary—SJ 79
- 02/08/2023 Senate—Hearing: Wednesday, February 15, 2023, 10:30 AM Room 346-S
- 02/20/2023 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 125
- 02/23/2023 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 198
- 03/01/2023 Senate—Withdrawn from Committee on Ways and Means and re-referred to Committee of the Whole—SJ 203
- 03/21/2023 Senate—Withdrawn from Calendar, Rereferred to Committee on Judiciary—SJ 271
- S 194** Bill by Ways and Means
Requiring hospital district board members to be qualified electors of the county where the hospital is located or any adjacent county.
- 02/07/2023 Senate—Introduced—SJ 71
- 02/08/2023 Senate—Referred to Committee on Local Government—SJ 79
- 02/16/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Local Government—SJ 116
- 02/21/2023 Senate—Committee of the Whole - Passed over and retain a place on the calendar—SJ 129
- 02/22/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 141

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- 02/22/2023 Senate—Committee of the Whole - Amendment by Senator Billinger was adopted—SJ 141
- 02/22/2023 Senate—Committee of the Whole - Be passed as further amended—SJ 141
- 02/23/2023 Senate—Final Action - Passed as amended; Yea: 38 Nay: 2—SJ 165
- 03/01/2023 House—Received and Introduced—HJ 353
- 03/02/2023 House—Referred to Committee on Local Government—HJ 360
- 03/06/2023 House—Hearing: Wednesday, March 8, 2023, 9:00 AM Room 281-N
- 03/14/2023 House—Committee Report recommending bill be passed by Committee on Local Government—HJ 411
- 03/27/2023 House—Committee of the Whole - Motion to rerefer to committee failed—HJ 510
- 03/27/2023 House—Committee of the Whole - Be passed—HJ 510
- 03/27/2023 House—Emergency Final Action - Not passed; Yea: 50 Nay: 73—HJ 541
- S 195** Bill by Ways and Means
Authorizing the children's cabinet to form a 501(c)(3) for fundraising for the Dolly Parton imagination library book gifting program.
- 02/07/2023 Senate—Introduced—SJ 71
- 02/08/2023 Senate—Referred to Committee on Ways and Means—SJ 79
- 02/08/2023 Senate—Hearing: Wednesday, February 15, 2023, 10:30 AM Room 548-S
- 02/15/2023 Senate—Committee Report recommending bill be passed and placed on Consent Calendar by Committee on Ways and Means—SJ 109
- 02/22/2023 Senate—Consent Calendar Passed Yea: 39 Nay: 0—SJ 138
- 02/22/2023 House—Received and Introduced—HJ 301
- 02/23/2023 House—Referred to Committee on Appropriations—HJ 308
- 03/06/2023 House—Hearing: Wednesday, March 8, 2023, 9:00 AM Room 112-N
- S 196** Bill by Senator Pittman
Reinstating transfers to the local ad valorem tax reduction fund (LAVTRF).
- 02/07/2023 Senate—Introduced—SJ 71
- 02/08/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 79
- S 197** Bill by Senators Pittman, Corson, Holscher
Allowing voters to register on election day.
- 02/07/2023 Senate—Introduced—SJ 71
- 02/08/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 79
- S 198** Bill by Senator Pittman
Providing a postretirement cost-of-living adjustment for certain KPERs retirees.
- 02/07/2023 Senate—Introduced—SJ 71
- 02/08/2023 Senate—Referred to Committee on Ways and Means—SJ 79
- S 199** Bill by Senator Holland
Authorizing the state banking board to deny, suspend or revoke a charter of a fiduciary financial institution in certain circumstances, requiring fiduciary financial institutions to purchase a surety bond and establishing a civil money penalty for violations of the technology-enabled fiduciary financial institutions act.
- 02/07/2023 Senate—Introduced—SJ 71
- 02/08/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 79
- S 200** Bill by Senator Holland
Limiting the number of terms a legislator may serve as speaker of the house of representatives or president of the senate.
- 02/07/2023 Senate—Introduced—SJ 72
- 02/08/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 79
- S 201** Bill by Federal and State Affairs
Prohibiting the expenditure of state moneys for the production or performance of

- drag shows for which minors are the primary audience.**
- 02/07/2023 Senate—Introduced—SJ 72
- 02/08/2023 Senate—Referred to Committee on Judiciary—SJ 79
- S 202** Bill by Federal and State Affairs
Enacting the Kansas ranked-choice voting act to establish the use of the ranked-choice method of voting for elections in this state.
- 02/07/2023 Senate—Introduced—SJ 72
- 02/08/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 79
- S 203** Bill by Ways and Means
Enacting the Kansas campus restoration act to address deferred maintenance at state educational institutions, establishing the Kansas campus restoration fund in the state treasury and authorizing certain transfers from the state general fund to such fund.
- 02/07/2023 Senate—Introduced—SJ 72
- 02/08/2023 Senate—Referred to Committee on Ways and Means—SJ 79
- 02/10/2023 Senate—Hearing: Friday, February 17, 2023, 10:30 AM Room 548-S
- 03/06/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 212
- S 204** Bill by Joint Committee on Fiduciary Financial Institutions Oversight
Replacing the definition of "charitable beneficiaries" with "qualified charities" in the technology-enabled fiduciary financial institutions act.
- 02/08/2023 Senate—Introduced—SJ 74
- 02/09/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 83
- 02/09/2023 Senate—Hearing: Tuesday, February 14, 2023, 9:30 AM Room 546-S
- 02/15/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Financial Institutions and Insurance—SJ 107
- 02/23/2023 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 198
- 03/01/2023 Senate—Withdrawn from Committee on Ways and Means and re-referred to Committee of the Whole—SJ 203
- 04/04/2023 Senate—Withdrawn from Calendar, Rereferred to Committee on Financial Institutions and Insurance—SJ 406
- S 205** Bill by Agriculture and Natural Resources
Authorizing certain water rights in a water bank to participate in multi-year flex accounts on a temporary basis.
- 02/08/2023 Senate—Introduced—SJ 74
- 02/09/2023 Senate—Referred to Committee on Agriculture and Natural Resources—SJ 82
- 02/09/2023 Senate—Hearing: Thursday, February 16, 2023, 8:30 AM Room 144-S
- 02/20/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Agriculture and Natural Resources—SJ 121
- 02/23/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 169
- 02/23/2023 Senate—Committee of the Whole - Be passed as amended—SJ 169
- 02/23/2023 Senate—Emergency Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 196
- 03/01/2023 House—Received and Introduced—HJ 353
- 03/02/2023 House—Referred to Committee on Water—HJ 360
- 03/02/2023 House—Hearing: Thursday, March 9, 2023, 9:00 AM Room 218-N
- 03/22/2023 House—Committee Report recommending bill be passed as amended by Committee on Water—HJ 483
- 03/27/2023 House—Committee of the Whole - Committee Report be adopted—HJ 509
- 03/27/2023 House—Committee of the Whole - Be passed as amended—HJ 509

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- 03/27/2023 House—Emergency Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 533
- 04/04/2023 Senate—Concurred with amendments; Yea: 40 Nay: 0—SJ 414
- 04/24/2023 Senate—Enrolled and presented to Governor on Friday, April 14, 2023—SJ 1085
- 04/25/2023 Senate—Approved by Governor on Monday, April 24, 2023—SJ 1087
- S 206** Bill by Senators Holland, Francisco
Enacting the medical autonomy/accessibility and truth act to remove certain provisions regarding abortion from the no taxpayer funding for abortion act, the woman's-right-to-know act and the pain-capable unborn child act to allow for insurance coverage for abortions, provide tax benefits for abortion-related services and remove inaccurate statements regarding the risks of abortion.
- 02/08/2023 Senate—Introduced—SJ 74
- 02/09/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 83
- S 207** Bill by Education
Requiring policies for and establishing restrictions on school districts with regard to the use of an individual's pronouns if such pronouns differ from the individual's biological sex.
- 02/08/2023 Senate—Introduced—SJ 74
- 02/09/2023 Senate—Referred to Committee on Education—SJ 82
- S 208** Bill by Elections
House Substitute for SB 208 by Committee on Elections - Amending provisions relating to the governmental ethics commission's authority to investigate and enforce the campaign finance act and limitations on the receipt and expenditure of contributions.
- 02/08/2023 Senate—Introduced—SJ 74
- 02/09/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 82
- 02/15/2023 Senate—Hearing: Monday, February 20, 2023, 10:30 AM Room 144-S
- 02/21/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 130
- 02/22/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 140
- 02/22/2023 Senate—Committee of the Whole - Amendment by Senator Tyson was adopted Yea: 22 Nay: 16—SJ 140
- 02/22/2023 Senate—Committee of the Whole - Be passed as further amended—SJ 141
- 02/23/2023 Senate—Final Action - Passed as amended; Yea: 21 Nay: 19—SJ 165
- 03/01/2023 House—Received and Introduced—HJ 353
- 03/01/2023 House—Hearing: Tuesday, March 7, 2023, 3:30 PM Room 218-N
- 03/02/2023 House—Referred to Committee on Elections—HJ 360
- 03/22/2023 House—Committee Report recommending substitute bill be passed by Committee on Elections—HJ 482
- 03/23/2023 House—Committee of the Whole - Committee Report be adopted recommending substitute bill be passed—HJ 493
- 03/23/2023 House—Committee of the Whole - Substitute bill be passed—HJ 493
- 03/23/2023 House—Emergency Final Action - Substitute passed; Yea: 119 Nay: 3—HJ 493
- 03/29/2023 Senate—Motion to concur offered. Substitute motion to nonconcur and appoint a conference failed. Yea: 10 Nay: 30—SJ 381
- 03/29/2023 Senate—Concurred with amendments; Yea: 27 Nay: 12—SJ 382
- 04/04/2023 Senate—Enrolled and presented to Governor on Tuesday, April 4, 2023—SJ 415
- 04/24/2023 Senate—Approved by Governor on Friday, April 14, 2023—SJ 1085
- S 209** Bill by Federal and State Affairs

Requiring all advance voting ballots be returned by 7 p.m. on election day.

- 02/08/2023 Senate—Introduced—SJ 74
- 02/09/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 82
- 02/13/2023 Senate—Hearing: Thursday, February 16, 2023, 10:30 AM Room 144-S
- 02/21/2023 Senate—Committee Report recommending bill be passed by Committee on Federal and State Affairs—SJ 130
- 02/22/2023 Senate—Committee of the Whole - Be passed—SJ 140
- 02/23/2023 Senate—Final Action - Passed; Yea: 23 Nay: 17—SJ 166
- 03/01/2023 House—Received and Introduced—HJ 353
- 03/01/2023 House—Hearing: Thursday, March 9, 2023, 3:30 PM Room 218-N
- 03/02/2023 House—Referred to Committee on Elections—HJ 360
- 03/15/2023 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 420
- 03/28/2023 House—Committee of the Whole - Committee Report be adopted—HJ 560
- 03/28/2023 House—Committee of the Whole - Be passed as amended—HJ 560
- 03/29/2023 House—Final Action - Passed as amended; Yea: 76 Nay: 48—HJ 581
- 04/03/2023 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Thompson, Senator Kloos and Senator Faust-Goudeau as conferees—SJ 399
- 04/03/2023 House—Motion to accede adopted; Representative Proctor, Representative Waggoner and Representative Woodard appointed as conferees—HJ 603
- 04/06/2023 Senate—Concurred with amendments in conference; Yea: 23 Nay: 14—SJ 948
- 04/24/2023 Senate—Enrolled and presented to Governor on Friday, April 14, 2023—SJ 1085
- 04/24/2023 Senate—Vetoed by Governor; Returned to Senate on Wednesday, April 19, 2023—SJ 1095
- 04/26/2023 Senate—Motion to override veto failed; Veto sustained; Yea: 25 Nay: 15—SJ 1098

S 210 Bill by Federal and State Affairs

Allowing nonpartisan candidates for office to include such candidate's political party affiliation on the ballot with the candidate's name.

- 02/08/2023 Senate—Introduced—SJ 75
- 02/09/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 82
- 02/15/2023 Senate—Hearing: Monday, February 20, 2023, 10:30 AM Room 144-S
- 02/21/2023 Senate—Committee Report recommending bill be passed by Committee on Federal and State Affairs—SJ 130
- 02/22/2023 Senate—Committee of the Whole - Be passed—SJ 140
- 02/23/2023 Senate—Final Action - Not passed; Yea: 16 Nay: 24—SJ 166

S 211 Bill by Senators McGinn, Bowers, Dietrich, Doll, Faust-Goudeau, Francisco, Haley, Holscher, Longbine, Pettey, Pittman, Reddi, Sykes, Ware

Abolishing the death penalty and creating the crime of aggravated murder.

- 02/08/2023 Senate—Introduced—SJ 75
- 02/09/2023 Senate—Referred to Committee on Judiciary—SJ 83

S 212 Bill by Senator Straub

Permitting an ambulance to operate with one emergency medical service provider in rural counties.

- 02/08/2023 Senate—Introduced—SJ 75
- 02/09/2023 Senate—Referred to Committee on Local Government—SJ 83
- 02/13/2023 Senate—Hearing: Thursday, February 16, 2023, 9:30 AM Room 142-S

S 213 Bill by Senator Francisco

Requiring healthcare providers to charge the same amount for medical record requests related to a patient's social security disability, workers'

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- compensation, medical malpractice or personal injury claims whether requested by a patient or the patient's legal representative.**
02/08/2023 Senate—Introduced—SJ 75
02/09/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 83
- S 214** Bill by Federal and State Affairs
Prohibiting public utilities from recovering any dues, donations or contributions to any charitable or social organization or entity through customer rates.
02/08/2023 Senate—Introduced—SJ 75
02/09/2023 Senate—Referred to Committee on Utilities—SJ 83
- S 215** Bill by Ways and Means
Establishing the Kansas rail safety improvement act, providing for safety requirements for railroad operations and crossings and allowing for the transfer of title for abandoned railroad tracks to cities and counties.
02/08/2023 Senate—Introduced—SJ 75
02/09/2023 Senate—Referred to Committee on Transportation—SJ 83
- S 216** Bill by Judiciary
Adding possession or using a firearm during the commission of certain drug crimes to the crime of criminal use of weapons and creating a special sentencing rule of presumptive imprisonment for violations thereof.
02/08/2023 Senate—Introduced—SJ 75
02/09/2023 Senate—Referred to Committee on Judiciary—SJ 83
- S 217** Bill by Judiciary
Including the conduct of utilizing any electronic tracking system or acquiring tracking information to determine the targeted persons location, movement or travel patterns in the crime of stalking when done as part of an unlawful course of conduct and authorizing orders to prohibit such conduct under the Kansas family law code, the revised Kansas code for care of children, the protection from abuse act and the protection from stalking, sexual assault or human trafficking act and increasing the time of an initial restraining order and possible extensions issued in a protection from abuse order or a protection from stalking, sexual assault or human trafficking order.
02/08/2023 Senate—Introduced—SJ 75
02/09/2023 Senate—Referred to Committee on Judiciary—SJ 83
02/14/2023 Senate—Hearing: Tuesday, February 14, 2023, 10:30 AM Room 346-S
02/21/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 131
02/22/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 140
02/22/2023 Senate—Committee of the Whole - Be passed as amended—SJ 140
02/23/2023 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 167
03/01/2023 House—Received and Introduced—HJ 353
03/02/2023 House—Referred to Committee on Corrections and Juvenile Justice—HJ 360
03/02/2023 House—Hearing: Thursday, March 9, 2023, 1:30 PM Room 546-S
03/20/2023 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 460
03/27/2023 House—Committee of the Whole - Committee Report be adopted—HJ 527
03/27/2023 House—Committee of the Whole - Amendment by Representative Featherston was adopted—HJ 527
03/27/2023 House—Committee of the Whole - Be passed as amended—HJ 527
03/27/2023 House—Emergency Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 545
03/28/2023 Senate—Nonconcurrent with amendments; Conference Committee

- requested; appointed Senator Warren, Senator Wilborn and Senator Corson as conferees—SJ 361
- 03/29/2023 House—Motion to accede adopted; Representative Owens, Representative Smith, E. and Representative Highberger appointed as conferees—HJ 589
- 04/06/2023 House—Conference Committee Report was adopted; Yea: 123 Nay: 0—HJ 737
- 04/06/2023 Senate—Conference Committee Report was adopted; Yea: 37 Nay: 0—SJ 960
- 04/24/2023 Senate—Enrolled and presented to Governor on Friday, April 14, 2023—SJ 1085
- 04/25/2023 Senate—Approved by Governor on Monday, April 24, 2023—SJ 1087
- S 218** Bill by Federal and State Affairs
Requiring county election officers to assign registered voters whose residence has no corresponding mailing address to the voting precinct where the residence of such voter is located.
- 02/08/2023 Senate—Introduced—SJ 76
- 02/09/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 82
- S 219** Bill by Federal and State Affairs
Designating certain healthcare providers as being ineligible to purchase professional liability insurance from the healthcare stabilization fund.
- 02/08/2023 Senate—Introduced—SJ 76
- 02/09/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 83
- 02/16/2023 Senate—Hearing: Friday, February 17, 2023, 8:30 AM Room 142-S
- 02/20/2023 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 125
- 02/22/2023 Senate—Committee of the Whole - Be passed—SJ 140
- 02/23/2023 Senate—Final Action - Passed; Yea: 26 Nay: 12—SJ 167
- 03/01/2023 House—Received and Introduced—HJ 353
- 03/02/2023 House—Referred to Committee on Health and Human Services—HJ 360
- S 220** Bill by Federal and State Affairs
Establishing uniform requirements for all advance voting ballot envelopes.
- 02/08/2023 Senate—Introduced—SJ 76
- 02/09/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 82
- S 221** Bill by Federal and State Affairs
Amending statutes concerning election officials, election crimes and election procedures.
- 02/08/2023 Senate—Introduced—SJ 76
- 02/09/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 82
- 02/13/2023 Senate—Hearing: Thursday, February 16, 2023, 10:30 AM Room 144-S
- 02/21/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 130
- 02/22/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 140
- 02/22/2023 Senate—Committee of the Whole - Be passed as amended—SJ 140
- 02/23/2023 Senate—Final Action - Passed as amended; Yea: 29 Nay: 7—SJ 168
- 03/01/2023 House—Received and Introduced—HJ 353
- 03/01/2023 House—Hearing: Thursday, March 9, 2023, 3:30 PM Room 218-N
- 03/02/2023 House—Referred to Committee on Elections—HJ 360
- 03/15/2023 House—Committee Report recommending bill be passed as amended by Committee on Elections—HJ 420
- 03/28/2023 House—Committee of the Whole - Committee Report be adopted—HJ 561
- 03/28/2023 House—Committee of the Whole - Be passed as amended—HJ 561
- 03/29/2023 House—Final Action - Passed as amended; Yea: 119 Nay: 5—HJ 582
- 04/03/2023 Senate—Nonconcurrent with amendments; Conference Committee

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- requested; appointed Senator Thompson, Senator Kloos and Senator Faust-Goudeau as conferees—SJ 399
- 04/03/2023 House—Motion to accede adopted; Representative Proctor, Representative Waggoner and Representative Woodard appointed as conferees—HJ 604
- 04/06/2023 House—Conference Committee Report was adopted; Yea: 123 Nay: 0—HJ 687
- 04/06/2023 Senate—Conference Committee Report was adopted; Yea: 30 Nay: 6—SJ 847
- 04/24/2023 Senate—Enrolled and presented to Governor on Friday, April 14, 2023—SJ 1085
- 04/25/2023 Senate—Approved by Governor on Monday, April 24, 2023—SJ 1087
- S 222** Bill by Federal and State Affairs
Removing liability protections from online platforms and requiring certain wireless communication devices to have a default setting notifying parents of application downloads.
- 02/08/2023 Senate—Introduced—SJ 76
- 02/09/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 83
- S 223** Bill by Federal and State Affairs
Changing the candidate filing deadline and the primary election date to two months earlier than current law, increasing campaign contribution limits and modifying restrictions on campaign activities during legislative sessions.
- 02/09/2023 Senate—Introduced—SJ 81
- 02/10/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 92
- S 224** Bill by Federal and State Affairs
Enacting the Kansas protection of pensions and businesses against ideological interference act, relating to ideological boycotts involving environmental, social or governance standards, requiring KPERs to divest from and prohibiting state contracts or the deposit of state moneys with entities engaged in such boycotts as determined by the state treasurer and prohibiting discriminatory practices in the financial services industry based on such boycotts.
- 02/09/2023 Senate—Introduced—SJ 82
- 02/10/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 92
- 03/01/2023 Senate—Hearing continuation: Wednesday, March 8, 2023, 10:30 AM Room 144-S
- 03/01/2023 Senate—Hearing: Tuesday, March 7, 2023, 10:30 AM Room 144-S
- S 225** Bill by Ways and Means
Establishing the KanCare bridge to a healthy Kansas program to expand Medicaid eligibility.
- 02/09/2023 Senate—Introduced—SJ 82
- 02/10/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 92
- S 226** Bill by Education
Authorizing educational agencies to disclose student data for the purpose of conducting research contracted for by an educational agency.
- 02/09/2023 Senate—Introduced—SJ 82
- 02/10/2023 Senate—Referred to Committee on Education—SJ 92
- S 227** Bill by Assessment and Taxation
Allowing a retailer to retain the state rate of sales and compensating use tax from movie ticket sales and concession sales.
- 02/09/2023 Senate—Introduced—SJ 82
- 02/10/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 92
- 02/22/2023 Senate—Hearing: Thursday, March 2, 2023, 9:30 AM Room 548-S

- S 228 Bill by Judiciary
Requiring the secretary for aging and disability services to reimburse counties for certain costs when a person is in a county jail awaiting examination, evaluation or treatment for competency, modernizing statutes concerning county jails, removing the requirement that every county shall have a jail, modifying procedures used when district courts commit prisoners to jail in another county and when counties contract with city jails to keep prisoners and requiring a medical examination before certain United States prisoners or city prisoners are taken into custody of a county jail.
- 02/09/2023 Senate—Introduced—SJ 82
02/10/2023 Senate—Referred to Committee on Judiciary—SJ 92
02/14/2023 Senate—Hearing: Thursday, February 16, 2023, 10:30 AM Room 346-S
02/21/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 132
02/23/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 169
02/23/2023 Senate—Committee of the Whole - Amendment by Senator Corson was rejected—SJ 170
02/23/2023 Senate—Committee of the Whole - Amendment by Senator Baumgardner was adopted—SJ 169
02/23/2023 Senate—Committee of the Whole - Be passed as further amended—SJ 170
02/23/2023 Senate—Emergency Final Action - Passed as amended; Yea: 34 Nay: 3—SJ 196
03/01/2023 House—Received and Introduced—HJ 353
03/02/2023 House—Referred to Committee on Corrections and Juvenile Justice—HJ 360
03/02/2023 House—Hearing: Wednesday, March 8, 2023, 1:30 PM Room 546-S
03/20/2023 House—Committee Report recommending bill be passed as amended by Committee on Corrections and Juvenile Justice—HJ 460
03/27/2023 House—Committee of the Whole - Committee Report be adopted—HJ 527
03/27/2023 House—Committee of the Whole - Be passed as amended—HJ 527
03/27/2023 House—Emergency Final Action - Passed as amended; Yea: 122 Nay: 1—HJ 544
03/28/2023 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Warren, Senator Wilborn and Senator Corson as conferees—SJ 361
03/29/2023 House—Motion to accede adopted; Representative Owens, Representative Smith, E. and Representative Highberger appointed as conferees—HJ 589
04/05/2023 House—Conference Committee Report agree to disagree adopted; Representative Owens, Representative Smith, E. and Representative Highberger appointed as second conferees—HJ 633
04/05/2023 Senate—Conference Committee Report agree to disagree adopted; Senator Warren, Senator Wilborn and Senator Corson appointed as second conferees—SJ 454
04/06/2023 House—Conference Committee Report was adopted; Yea: 86 Nay: 37—HJ 737
04/06/2023 Senate—Conference Committee Report was adopted; Yea: 33 Nay: 3—SJ 961
04/24/2023 Senate—Enrolled and presented to Governor on Friday, April 14, 2023—SJ 1085
04/24/2023 Senate—Vetoed by Governor; Returned to Senate on Thursday, April 20, 2023—SJ 1094
04/26/2023 Senate—Motion to override veto prevailed; Yea: 31 Nay: 9—SJ 1097
04/26/2023 House—Motion to override veto prevailed; Yea: 87 Nay: 37—HJ 1307

Bills 60

- S 229** Bill by Legislative Modernization
House Substitute for SB 229 by Committee on Legislative Modernization - Creating the legislative compensation commission, prescribing powers and duties of the commission and the legislature, establishing the rate of pay for statewide elected officials based on the salary for members of Congress and establishing the rate of pay for judges and justices based on the salary for district judges of the United States.
- 02/09/2023 Senate—Introduced—SJ 82
02/10/2023 Senate—Referred to Committee on Transportation—SJ 92
02/21/2023 Senate—Committee Report recommending bill be passed by Committee on Transportation—SJ 135
02/22/2023 Senate—Committee of the Whole - Be passed—SJ 137
02/23/2023 Senate—Final Action - Passed; Yea: 38 Nay: 2—SJ 168
03/01/2023 House—Received and Introduced—HJ 353
03/02/2023 House—Referred to Committee on Transportation—HJ 360
03/06/2023 House—Withdrawn from Committee on Transportation; Referred to Committee on Legislative Modernization—HJ 369
03/13/2023 House—Committee Report recommending substitute bill be passed by Committee on Legislative Modernization—HJ 401
03/15/2023 House—Committee of the Whole - Committee Report be adopted recommending substitute bill be passed—HJ 419
03/15/2023 House—Committee of the Whole - Substitute bill be passed—HJ 419
03/16/2023 House—Final Action - Substitute passed; Yea: 96 Nay: 26—HJ 434
03/22/2023 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Billinger, Senator Claeys and Senator Pettey as conferees—SJ 277
03/23/2023 House—Motion to accede adopted; Representative Wasinger, Representative Carpenter, B. and Representative Stogsdill appointed as conferees—HJ 489
04/06/2023 House—Conference Committee Report was adopted; Yea: 76 Nay: 46—HJ 1124
04/06/2023 Senate—Conference Committee Report was adopted; Yea: 25 Nay: 8—SJ 1084
04/24/2023 Senate—Enrolled and presented to Governor on Friday, April 14, 2023—SJ 1085
04/24/2023 Senate—Approved by Governor on Thursday, April 20, 2023—SJ 1085
- S 230** Bill by Assessment and Taxation
Enacting the Kansas thrift savings plan act and establishing terms, conditions, requirements, membership elections, accounts, benefits, contributions and distributions related to such act.
- 02/10/2023 Senate—Introduced—SJ 90
02/13/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 93
- S 231** Bill by Ways and Means
Providing postsecondary tuition assistance to certain children of qualifying public school teachers.
- 02/10/2023 Senate—Introduced—SJ 90
02/13/2023 Senate—Referred to Committee on Education—SJ 93
- S 232** Bill by Judiciary
Substitute for SB 232 by Committee on Judiciary - Establishing the office of the child advocate as an independent state agency, making orders granting custody for adoption subject to the federal Indian child welfare act, directing the secretary for children and families to consider foster parents as prospective adoptive parents in certain circumstances and authorizing

appeal of any order of placement of a child.

- 02/10/2023 Senate—Introduced—SJ 90
- 02/13/2023 Senate—Referred to Committee on Judiciary—SJ 93
- 02/22/2023 Senate—Committee Report recommending substitute bill be passed by Committee on Judiciary—SJ 158
- 02/23/2023 Senate—Committee of the Whole - Committee Report be adopted recommending substitute bill be passed—SJ 170
- 02/23/2023 Senate—Committee of the Whole - Substitute bill be passed—SJ 170
- 02/23/2023 Senate—Emergency Final Action - Substitute passed; Yea: 39 Nay: 0—SJ 197
- 03/01/2023 House—Received and Introduced—HJ 353
- 03/02/2023 House—Referred to Committee on Child Welfare and Foster Care—HJ 360

S 233

Creating a civil cause of action against a physician who performs childhood gender reassignment service and requiring revocation of a physician's license who performs childhood gender reassignment service.

- 02/10/2023 Senate—Introduced—SJ 90
- 02/13/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 93
- 02/13/2023 Senate—Hearing: Tuesday, February 14, 2023, 8:30 AM Room Room Change to 546
- 02/20/2023 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 125
- 02/22/2023 Senate—Committee of the Whole - Be passed—SJ 140
- 02/23/2023 Senate—Final Action - Passed; Yea: 26 Nay: 11—SJ 168
- 03/01/2023 House—Received and Introduced—HJ 353
- 03/02/2023 House—Referred to Committee on Health and Human Services—HJ 360

S 234

Prohibiting governmental entities from sharing or transmitting social care information into a closed loop referral system.

- 02/10/2023 Senate—Introduced—SJ 90
- 02/13/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 93
- 02/23/2023 Senate—Withdrawn from Committee on Public Health and Welfare; Referred to Committee on Ways and Means—SJ 198
- 03/01/2023 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Public Health and Welfare—SJ 203
- 03/22/2023 Senate—Hearing: Friday, March 24, 2023, 8:30 AM Room 142-S

S 235

Expanding limitations to third-party access to provider network contracts and discounts unless certain criteria are met and prohibitions on payment method restrictions and limitations on certain transaction fees from dental services to all healthcare services.

- 02/10/2023 Senate—Introduced—SJ 90
- 02/13/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 93

S 236

Requiring drug manufacturers to provide pricing under the federal 340B drug pricing program to pharmacies that enter into contractual agreements with entities covered under the 340B program and prohibiting pharmacy benefits managers from denying patients the freedom to use the pharmacy and healthcare provider of such patient's choice.

- 02/10/2023 Senate—Introduced—SJ 91
- 02/13/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 93

S 237

Bill by Federal and State Affairs

Bills 62

Requiring a criminal conviction for civil asset forfeiture and proof beyond a reasonable doubt that property is subject to forfeiture, remitting proceeds to the state general fund and requiring law enforcement agencies to make forfeiture reports more frequently.

02/10/2023 Senate—Introduced—SJ 91

02/13/2023 Senate—Referred to Committee on Judiciary—SJ 93

S 238 Bill by Judiciary

Increasing criminal penalties on drug-related crimes when the drug is fentanyl and creating special sentencing rules for mandatory imprisonment and additional terms of imprisonment for drug-related crimes when the drug is fentanyl or is attractive to minors because of its appearance or packaging.

02/10/2023 Senate—Introduced—SJ 91

02/13/2023 Senate—Referred to Committee on Judiciary—SJ 93

02/14/2023 Senate—Hearing: Wednesday, February 15, 2023, 10:30 AM Room 346-S

02/21/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Judiciary—SJ 132

02/23/2023 Senate—Withdrawn from Calendar; Referred to Committee on Ways and Means—SJ 198

03/01/2023 Senate—Withdrawn from Committee on Ways and Means and re-referred to Committee of the Whole—SJ 203

S 239 Bill by Judiciary

Providing that certain witnesses shall have the right to be accompanied by a support person during testimony and may be accompanied by a certified critical incident response therapy K9 team.

02/10/2023 Senate—Introduced—SJ 91

02/13/2023 Senate—Referred to Committee on Judiciary—SJ 93

S 240 Bill by Judiciary

Amending the crime of aggravated endangering a child to increase the criminal penalties in certain environments where any person is distributing, possessing with intent to distribute, manufacturing or attempting to manufacture fentanyl-related controlled substances.

02/10/2023 Senate—Introduced—SJ 91

02/13/2023 Senate—Referred to Committee on Judiciary—SJ 93

02/15/2023 Senate—Hearing: Monday, February 20, 2023, 10:30 AM Room 346-S

S 241 Bill by Judiciary

Requiring certain records and files to be automatically expunged from a juvenile's record.

02/10/2023 Senate—Introduced—SJ 91

02/13/2023 Senate—Referred to Committee on Judiciary—SJ 93

S 242 Bill by Judiciary

Enacting the cold case homicide victims' families' rights act to provide for a system for reviewing the case files of cold case homicides upon written application by certain persons.

02/10/2023 Senate—Introduced—SJ 91

02/13/2023 Senate—Referred to Committee on Judiciary—SJ 93

S 243 Bill by Judiciary

Providing requirements and procedures for settlement agreements involving a minor.

02/10/2023 Senate—Introduced—SJ 91

02/13/2023 Senate—Referred to Committee on Judiciary—SJ 93

02/17/2023 Senate—Hearing: Tuesday, February 21, 2023, 10:30 AM Room 346-S

02/21/2023 Senate—Committee Report recommending bill be passed as amended by

Committee on Judiciary—SJ 133

- 02/23/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 169
- 02/23/2023 Senate—Committee of the Whole - Be passed as amended—SJ 169
- 02/23/2023 Senate—Emergency Final Action - Passed as amended; Yea: 39 Nay: 0—SJ 197
- 03/01/2023 House—Received and Introduced—HJ 353
- 03/02/2023 House—Referred to Committee on Judiciary—HJ 360
- 03/03/2023 House—Hearing: Wednesday, March 8, 2023, 3:30 PM Room 582-N
- 03/15/2023 House—Committee Report recommending bill be passed as amended by Committee on Judiciary—HJ 420
- 03/27/2023 House—Committee of the Whole - Committee Report be adopted—HJ 531
- 03/27/2023 House—Committee of the Whole - Be passed as amended—HJ 531
- 03/27/2023 House—Emergency Final Action - Passed as amended; Yea: 123 Nay: 0—HJ 549
- 03/28/2023 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Warren, Senator Wilborn and Senator Corson as conferees—SJ 361
- 03/29/2023 House—Motion to accede adopted; Representative Patton, Representative Schreiber and Representative Carmichael appointed as conferees—HJ 589
- 04/06/2023 Senate—Concurred with amendments in conference; Yea: 38 Nay: 0—SJ 851
- 04/24/2023 Senate—Enrolled and presented to Governor on Friday, April 14, 2023—SJ 1085

S 244

04/24/2023 Senate—Approved by Governor on Thursday, April 20, 2023—SJ 1085
Bill by Judiciary

House Substitute for SB 244 by Committee on Judiciary - Updating the Kansas general corporation code, the business entity transactions act, the business entity standard treatment act, the Kansas revised uniform limited partnership act and the Kansas uniform partnership act.

- 02/10/2023 Senate—Introduced—SJ 92
- 02/13/2023 Senate—Referred to Committee on Judiciary—SJ 93
- 02/23/2023 Senate—Withdrawn from Committee on Judiciary; Referred to Committee on Ways and Means—SJ 198
- 03/01/2023 Senate—Withdrawn from Committee on Ways and Means; Rereferred to Committee on Judiciary—SJ 203
- 03/01/2023 Senate—Hearing: Monday, March 6, 2023, 10:30 AM Room 346-S
- 03/07/2023 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 214
- 03/08/2023 Senate—Committee of the Whole - Be passed—SJ 218
- 03/09/2023 Senate—Final Action - Passed; Yea: 35 Nay: 3—SJ 222
- 03/10/2023 House—Received and Introduced—HJ 395
- 03/13/2023 House—Referred to Committee on Judiciary—HJ 396
- 03/15/2023 House—Hearing: Monday, March 20, 2023, 3:30 PM Room 582-N
- 03/24/2023 House—Committee Report recommending substitute bill be passed by Committee on Judiciary—HJ 506
- 03/27/2023 House—Committee of the Whole - Committee Report be adopted recommending substitute bill be passed—HJ 531
- 03/27/2023 House—Committee of the Whole - Substitute bill be passed—HJ 531
- 03/27/2023 House—Emergency Final Action - Substitute passed; Yea: 121 Nay: 2—HJ 549
- 04/03/2023 Senate—Nonconcurrent with amendments; Conference Committee requested; appointed Senator Warren, Senator Wilborn and Senator Corson as conferees—SJ 399

Bills 64

- 04/03/2023 House—Motion to accede adopted; Representative Patton, Representative Schreiber and Representative Carmichael appointed as conferees—HJ 604
- 04/06/2023 Senate—Concurred with amendments in conference; Yea: 28 Nay: 8—SJ 852
- 04/24/2023 Senate—Enrolled and presented to Governor on Friday, April 14, 2023—SJ 1085
- 04/24/2023 Senate—Approved by Governor on Thursday, April 20, 2023—SJ 1085
- S 245** Bill by Federal and State Affairs
Enacting the commercial financing disclosure act, requiring certain disclosures when making commercial financing product transactions, requiring registration with state bank commissioner, obtaining a surety bond, providing for civil penalties and rules and regulations by the commissioner and authorizing enforcement of such act by the attorney general.
- 02/13/2023 Senate—Introduced—SJ 93
- 02/14/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 97
- S 246** Bill by Ways and Means
Defining in-state and interstate practitioners under the Kansas telemedicine act, establishing certain standards of care, requiring certain insurance coverage of in-state telemedicine services and establishing the Kansas telehealth advisory committee.
- 02/13/2023 Senate—Introduced—SJ 93
- 02/14/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 97
- S 247** Bill by Assessment and Taxation
Providing a sales tax exemption for purchases by a not-for-profit corporation operating a community theater.
- 02/13/2023 Senate—Introduced—SJ 93
- 02/14/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 97
- 02/22/2023 Senate—Hearing: Thursday, March 2, 2023, 9:30 AM Room 548-S
- S 248** Bill by Assessment and Taxation
Providing sales tax exemptions for certain food and food ingredients and for the construction or repair of buildings used for human habitation by the Kansas state school for the blind and the Kansas state school for the deaf and repealing the state rate reduction for sales of certain food and food ingredients.
- 02/13/2023 Senate—Introduced—SJ 93
- 02/14/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 97
- 02/17/2023 Senate—Hearing: Monday, February 20, 2023, 9:30 AM Room 548-S
- 02/22/2023 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 141
- 02/23/2023 Senate—Committee of the Whole - Amendment by Senator Petersen was adopted Yea: 20 Nay: 14—SJ 172
- 02/23/2023 Senate—Committee of the Whole - Amendment by Senator Holland was rejected Yea: 10 Nay: 26—SJ 183
- 02/23/2023 Senate—Committee of the Whole - Amendment by Senator Fagg was adopted—SJ 173
- 02/23/2023 Senate—Committee of the Whole - Amendment by Senator Sykes was rejected Yea: 16 Nay: 20—SJ 183
- 02/23/2023 Senate—Committee of the Whole - Amendment by Senator Holland was rejected—SJ 183
- 02/23/2023 Senate—Committee of the Whole - Be passed as amended—SJ 173
- 02/23/2023 Senate—Emergency Final Action - Passed as amended; Yea: 22 Nay: 16—

- SJ 198
- 03/01/2023 House—Received and Introduced—HJ 353
 03/02/2023 House—Referred to Committee on Taxation—HJ 360
 03/08/2023 House—Hearing: Monday, March 13, 2023, 3:30 PM Room 346-S
- S 249** Bill by Federal and State Affairs
Providing for the filling of a vacancy in the office of state treasurer and commissioner of insurance by statewide party delegate convention.
 02/14/2023 Senate—Introduced—SJ 95
 02/15/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 104
- S 250** Bill by Federal and State Affairs
Removing state department fees for concealed-carry licenses.
 02/14/2023 Senate—Introduced—SJ 96
 02/15/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 104
- S 251** Bill by Federal and State Affairs
Providing sampling rules for alcoholic liquor and cereal malt beverages for spirits distributors, wine distributors and beer distributors in regard to the amount of products used for samples for distributors, retailers and club and drinking establishment licensees.
 02/14/2023 Senate—Introduced—SJ 96
 02/15/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 104
- S 252** Bill by Assessment and Taxation
Providing for exemptions from property tax and sales tax for certain businesses competing against governmental entities.
 02/14/2023 Senate—Introduced—SJ 96
 02/15/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 104
 02/17/2023 Senate—Hearing: Tuesday, February 21, 2023, 9:30 AM Room 548-S
 02/22/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 153
 03/27/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 330
 03/27/2023 Senate—Committee of the Whole - Amendment by Senator Baumgardner was adopted—SJ 330
 03/27/2023 Senate—Committee of the Whole - Be passed as further amended—SJ 330
 03/28/2023 Senate—Final Action - Passed as amended; Yea: 24 Nay: 16—SJ 346
 03/29/2023 House—Received and Introduced—HJ 566
 04/03/2023 House—Referred to Committee on Taxation—HJ 594
- S 253** Bill by Federal and State Affairs
Authorizing home delivery by licensed retailers, licensed clubs and drinking establishments and restaurants and third-party delivery services.
 02/15/2023 Senate—Introduced—SJ 100
 02/16/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 112
 03/01/2023 Senate—Hearing: Friday, March 10, 2023, 10:30 AM Room 144-S
- S 254** Bill by Federal and State Affairs
Providing for the filling of a vacancy in the office of United States senator by a statewide party delegate convention.
 02/15/2023 Senate—Introduced—SJ 101
 02/16/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 112
- S 255** Bill by Federal and State Affairs
Requiring school districts to provide separate accommodations for students of each biological sex on overnight school sponsored trips.
 02/15/2023 Senate—Introduced—SJ 101
 02/16/2023 Senate—Referred to Committee on Education—SJ 112
 03/15/2023 Senate—Hearing: Wednesday, March 22, 2023, 1:30 PM Room 144-S
- S 256** Bill by Ways and Means

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Providing KPERS 3 members an additional interest credit of 1% for calendar year 2023.

02/15/2023 Senate—Introduced—SJ 101

02/16/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 112

02/22/2023 Senate—Hearing: Thursday, March 2, 2023, 9:30 AM Room 546-S

S 257 Bill by Federal and State Affairs

Requiring that closed captioning be enabled on televisions and television receivers in public areas of places of public accommodation.

02/15/2023 Senate—Introduced—SJ 101

02/16/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 112

S 258 Bill by Federal and State Affairs

Enacting the act against abusive access litigation to create a civil action for determining whether litigation that alleges any access violation under the Americans with disabilities act or similar law constitutes abusive litigation and authorize penalties for such abusive litigation.

02/16/2023 Senate—Introduced—SJ 110

02/17/2023 Senate—Referred to Committee on Judiciary—SJ 117

03/01/2023 Senate—Hearing: Monday, March 6, 2023, 10:30 AM Room 346-S

S 259 Bill by Federal and State Affairs

Prohibiting the use of ballot copies for purposes of any audit or recount of an election, setting a 7:00 p.m. deadline for receipt of advance mail ballots, requiring the use of paper ballots and hand counting, establishing legislative oversight, requiring that certain ballot records and all election records be publicly available and mandating use of a uniform paper for ballot printing.

02/16/2023 Senate—Introduced—SJ 111

02/17/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 117

S 260 Bill by Federal and State Affairs

Prohibiting remote ballot boxes, providing for reporting and publication of voting results and public access to voting records and materials, limiting advance voting provisions and requiring receipt of advance voting ballots by election day, limiting the size of precincts, making the general election a state holiday, providing that the sheriff has sole jurisdiction for and shall provide security at voting places, establishing the authority of the legislature over elections with preeminence over rules and regulations of the secretary of state and federal election law and making certain election crimes felonies.

02/16/2023 Senate—Introduced—SJ 111

02/17/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 117

S 261 Bill by Federal and State Affairs

Authorizing appeals from certain decisions related to a citizen-initiated grand jury.

02/16/2023 Senate—Introduced—SJ 111

02/17/2023 Senate—Referred to Committee on Judiciary—SJ 117

S 262 Bill by Federal and State Affairs

Requiring voting and vote tabulation by hand and prohibiting electronic poll books or electronic or electromechanical voting or tabulation systems after January 1, 2024, mandating legislative approval of certain election matters and providing for the reporting of vote counts to the secretary of state and publication of the vote counts by the secretary.

02/16/2023 Senate—Introduced—SJ 111

02/17/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 117

- S 263** Bill by Assessment and Taxation
Requiring director of property valuation appraiser directives be established by rules and regulations.
 02/16/2023 Senate—Introduced—SJ 112
 02/17/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 117
 03/08/2023 Senate—Hearing: Thursday, March 16, 2023, 9:30 AM Room 548-S
 03/20/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 263
- S 264** Bill by Assessment and Taxation
Increasing the income tax credit amount for household and dependent care expenses.
 02/16/2023 Senate—Introduced—SJ 112
 02/17/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 117
- S 265** Bill by Ways and Means
Requiring a person convicted of an offense that resulted in the incapacitation or death of a victim who is the parent or guardian of a minor child to pay restitution in the form of child support and increasing the criminal penalties for repeat violations of a protective order.
 02/16/2023 Senate—Introduced—SJ 112
 02/17/2023 Senate—Referred to Committee on Judiciary—SJ 117
 03/01/2023 Senate—Hearing: Monday, March 6, 2023, 10:30 AM Room 346-S
 03/23/2023 Senate—Committee Report recommending bill be passed by Committee on Judiciary—SJ 294
 03/27/2023 Senate—Committee of the Whole - Amendment by Senator Haley was adopted—SJ 327
 03/27/2023 Senate—Committee of the Whole - Be passed as amended—SJ 328
 03/28/2023 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 346
 03/29/2023 House—Received and Introduced—HJ 566
 04/03/2023 House—Referred to Committee on Judiciary—HJ 594
- S 266** Bill by Ways and Means
Requiring law enforcement officers investigating alleged domestic violence to give certain notices to victims and conduct a lethality assessment.
 02/16/2023 Senate—Introduced—SJ 112
 02/17/2023 Senate—Referred to Committee on Judiciary—SJ 117
- S 267** Bill by Ways and Means
Defining primary aggressor for domestic violence purposes and requiring law enforcement policies to direct that arrest is the preferred response only with respect to the primary aggressor.
 02/16/2023 Senate—Introduced—SJ 112
 02/17/2023 Senate—Referred to Committee on Judiciary—SJ 117
- S 268** Bill by Federal and State Affairs
Eliminating the statutory qualifications listed for the chief inspector for boiler safety appointed by the state fire marshal.
 02/20/2023 Senate—Introduced—SJ 120
 02/21/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 129
- S 269** Bill by Federal and State Affairs
Exempting charitable raffle prizes of alcoholic liquor and cereal malt beverages from the Kansas liquor control act, the club and drinking establishment act and the Kansas cereal malt beverage act.
 02/20/2023 Senate—Introduced—SJ 120
 02/21/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 129

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- S 270** Bill by Federal and State Affairs
Including acts that occur in the course of the taking of property in the crimes of robbery and aggravated robbery.
02/21/2023 Senate—Introduced—SJ 128
02/22/2023 Senate—Referred to Committee on Judiciary—SJ 137
- S 271** Bill by Federal and State Affairs
Limiting the length of trains to 8,500 feet on any main line or branch line and providing for minimum distance for storage of rolling stock.
02/21/2023 Senate—Introduced—SJ 128
02/22/2023 Senate—Referred to Committee on Transportation—SJ 137
03/01/2023 Senate—Hearing: Tuesday, March 7, 2023, 8:30 AM Room 546-S
03/07/2023 Senate—Hearing continuation: Wednesday, March 8, 2023, 8:30 AM Room 546-S
03/15/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Transportation—SJ 241
03/27/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 328
03/27/2023 Senate—Committee of the Whole - Be passed as amended—SJ 328
03/28/2023 Senate—Final Action - Passed as amended; Yea: 27 Nay: 13—SJ 347
03/29/2023 House—Received and Introduced—HJ 566
04/03/2023 House—Referred to Committee on Transportation—HJ 594
- S 272** Bill by Ways and Means
Increasing the transfer from the state highway fund to the public use general aviation airport development fund.
02/21/2023 Senate—Introduced—SJ 129
02/22/2023 Senate—Referred to Committee on Ways and Means—SJ 137
- S 273** Bill by Assessment and Taxation
Eliminating the zoning and planning authority for cities in the three-mile area extending from the city boundaries.
02/21/2023 Senate—Introduced—SJ 129
02/22/2023 Senate—Referred to Committee on Local Government—SJ 137
- S 274** Bill by Assessment and Taxation
Requiring the use of the cost approach for special purpose property for property tax valuation purposes.
02/21/2023 Senate—Introduced—SJ 129
02/22/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 137
03/08/2023 Senate—Hearing: Wednesday, March 15, 2023, 9:30 AM Room 548-S
- S 275** Bill by Ways and Means
Changing the total amount credited to the state gaming revenues fund, increasing the transfer of moneys from such fund to the correctional institutions building fund and decreasing the transfer of moneys to the state economic development initiatives fund.
02/22/2023 Senate—Introduced—SJ 136
02/23/2023 Senate—Referred to Committee on Ways and Means—SJ 160
03/20/2023 Senate—Hearing: Thursday, March 23, 2023, 10:30 AM Room 548-S
- S 276** Bill by Federal and State Affairs
Specifying the delta-9 tetrahydrocannabinol concentration amount for final hemp products and allowing certain hemp products to be manufactured, marketed, sold or distributed.
02/22/2023 Senate—Introduced—SJ 137
02/23/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 160
- S 277** Bill by Ways and Means
Providing for the regulation of supplemental nursing services agencies by the secretary for aging and disability services.

- 02/22/2023 Senate—Introduced—SJ 137
 02/23/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 160
S 278 Bill by Federal and State Affairs
Requiring public utilities to report information regarding customer assistance programs, account delinquencies and disconnections.
 02/22/2023 Senate—Introduced—SJ 137
 02/23/2023 Senate—Referred to Committee on Utilities—SJ 160
 03/15/2023 Senate—Hearing: Tuesday, March 21, 2023, 1:30 PM Room 548-S
S 279 Bill by Federal and State Affairs
Granting law enforcement officials access to the prescription monitoring program database without a warrant and replacing the member of the program advisory committee representing the Kansas bureau of investigation with the attorney general or the attorney general's designee.
 02/22/2023 Senate—Introduced—SJ 137
 02/23/2023 Senate—Referred to Committee on Judiciary—SJ 160
S 280 Bill by Federal and State Affairs
Modifying self-defense and use of force provisions related to the initial aggressor standard, changing immunity from criminal prosecution and civil action to an affirmative defense and requiring reporting and publication of certain data related to use of force cases by the Kansas bureau of investigation and the judicial administrator.
 02/23/2023 Senate—Introduced—SJ 159
 03/01/2023 Senate—Referred to Committee on Judiciary—SJ 201
S 281 Bill by Federal and State Affairs
Creating the position of dementia services coordinator within the department of aging and disability services.
 03/01/2023 Senate—Introduced—SJ 200
 03/02/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 206
S 282 Bill by Federal and State Affairs
Establishing child care licensing requirements relating to license capacity and staff-to-child ratios, eliminating certain license fees and training requirements, permitting a 16 year-old staff member to staff a unit with children at least 12 months old without supervision, creating a process for day care facility licensees to apply for temporary waiver of certain statutory requirements and authorizing the secretary to develop and operate pilot programs to increase day care facility availability or capacity.
 03/01/2023 Senate—Introduced—SJ 201
 03/02/2023 Senate—Referred to Committee on Commerce—SJ 206
 03/03/2023 Senate—Hearing: Wednesday, March 8, 2023, 10:30 AM Room 546-S
S 283 Bill by Federal and State Affairs
Prohibiting conveyance of certain real property in this state to foreign adversaries.
 03/02/2023 Senate—Introduced—SJ 204
 03/03/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 208
 03/07/2023 Senate—Withdrawn from Committee on Federal and State Affairs;
 Referred to Committee on Judiciary—SJ 214
 03/15/2023 Senate—Hearing: Tuesday, March 21, 2023, 10:30 AM Room 346-S
S 284 Bill by Ways and Means
Establishing the blind information access act to require the state library to provide on-demand information access services to persons who are blind, visually impaired, deafblind or print disabled.
 03/02/2023 Senate—Introduced—SJ 205
 03/03/2023 Senate—Referred to Committee on Utilities—SJ 208

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- S 285** Bill by Federal and State Affairs
Eliminating the senate confirmation requirement from the appointment of national guard officers.
03/02/2023 Senate—Introduced—SJ 205
03/03/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 208
- S 286** Bill by Federal and State Affairs
Prohibiting abortion procedures except when necessary to save the life of the pregnant woman and providing a private cause of action for civil enforcement of such prohibition.
03/02/2023 Senate—Introduced—SJ 205
03/03/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 208
- S 287** Bill by Federal and State Affairs
Expanding the Kansas silver alert plan to include persons 18 years of age or older who have dementia, a developmental disability or a cognitive impairment.
03/02/2023 Senate—Introduced—SJ 205
03/03/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 208
03/15/2023 Senate—Hearing: Monday, March 20, 2023, 8:30 AM Room 142-S
03/21/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 270
03/28/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 359
03/28/2023 Senate—Committee of the Whole - Be passed as amended—SJ 359
03/29/2023 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 369
04/03/2023 House—Received and Introduced—HJ 594
04/04/2023 House—Referred to Committee on Health and Human Services—HJ 610
- S 288** Bill by Federal and State Affairs
Authorizing certain individuals with revoked driver's licenses to be eligible for restricted driving privileges.
03/02/2023 Senate—Introduced—SJ 205
03/03/2023 Senate—Referred to Committee on Judiciary—SJ 208
- S 289** Bill by Federal and State Affairs
Permitting functional incapacitation release and terminal medical condition release for persons sentenced to imprisonment for an off-grid offense and extending terminal medical condition release to inmates in the custody of the secretary of corrections with a condition likely to cause death within 180 days.
03/02/2023 Senate—Introduced—SJ 205
03/03/2023 Senate—Referred to Committee on Judiciary—SJ 208
- S 290** Bill by Federal and State Affairs
Requiring a presidential preference primary election to be held on the first Tuesday following the first Monday in May every fourth year and changing the primary election date for all primary elections to the first Tuesday following the first Monday in May.
03/02/2023 Senate—Introduced—SJ 205
03/03/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 208
- S 291** Bill by Federal and State Affairs
Enacting the Kansas public investments and contracts protection act concerning environmental, social and governance (ESG) criteria, prohibiting the state and political subdivisions from giving preferential treatment to or discriminating against companies based on such ESG criteria in procuring or letting contracts, requiring KPERS fiduciaries to act solely in the financial interest of the participants and beneficiaries of the system, restricting state agencies from adopting ESG criteria or requiring any person or business to operate in accordance with such criteria, directing

registered investment advisers to provide ESG criteria notice to clients and providing for enforcement of such act by the attorney general.

- 03/06/2023 Senate—Introduced—SJ 210
- 03/06/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 211
- 03/06/2023 Senate—Hearing: (proponents) Tuesday, March 7, 2023, 10:30 AM Room 144-S
- 03/15/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 239
- 03/21/2023 Senate—Withdrawn from Calendar, Rereferred to Committee on Federal and State Affairs—SJ 270
- 03/23/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Federal and State Affairs—SJ 290
- 03/27/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 328
- 03/27/2023 Senate—Committee of the Whole - Amendment by Senator Tyson was adopted—SJ 328
- 03/27/2023 Senate—Committee of the Whole - Be passed as further amended—SJ 330
- 03/28/2023 Senate—Final Action - Passed as amended; Yea: 29 Nay: 11—SJ 347
- 03/29/2023 House—Received and Introduced—HJ 566
- 04/03/2023 House—Referred to Committee on Financial Institutions and Pensions—HJ 594

- S 292 Bill by Federal and State Affairs
Updating statutes related to the Kansas army and air national guard, providing for the appointment of a state judge advocate and providing for the adjustment of death and disability benefits.
03/06/2023 Senate—Introduced—SJ 211
03/07/2023 Senate—Referred to Committee on Judiciary—SJ 214
- S 293 Bill by Assessment and Taxation
Crediting tax revenue generated from wagers made on historical horse races to the horse breeding development fund and the horse fair racing benefit fund.
03/06/2023 Senate—Introduced—SJ 211
03/07/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 214
- S 294 Bill by Ways and Means
Increasing the amount of state moneys distributed to local health departments.
03/06/2023 Senate—Introduced—SJ 211
03/07/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 214
- S 295 Bill by Ways and Means
Authorizing the continuation of the 20 mill statewide property tax levy for schools.
03/06/2023 Senate—Introduced—SJ 211
03/07/2023 Senate—Referred to Committee on Ways and Means—SJ 214
03/09/2023 Senate—Hearing: Wednesday, March 15, 2023, 10:30 AM Room 548-S
03/23/2023 Senate—Committee Report recommending bill be passed by Committee on Ways and Means—SJ 303
03/28/2023 Senate—Committee of the Whole - Passed over and retain a place on the calendar—SJ 365
- S 296 Bill by Federal and State Affairs
Prohibiting persons in charge of a building from requiring off-duty police officers carrying a concealed handgun from providing certain personal information or wearing anything identifying such persons as a law enforcement officer or as being armed.
03/07/2023 Senate—Introduced—SJ 213
03/08/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 216
- S 297 Bill by Federal and State Affairs
Revising the definition of "abortion" to clarify procedures that are excluded from

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such definition.

- 03/07/2023 Senate—Introduced—SJ 213
03/08/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 216
03/16/2023 Senate—Hearing: Monday, March 20, 2023, 8:30 AM Room 142-S
03/21/2023 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 270
03/28/2023 Senate—Committee of the Whole - Be passed—SJ 359
03/29/2023 Senate—Final Action - Passed; Yea: 29 Nay: 11—SJ 369
04/03/2023 House—Received and Introduced—HJ 594
04/04/2023 House—Referred to Committee on Health and Human Services—HJ 610
- S 298**
Bill by Federal and State Affairs
Providing for child support orders for unborn children with a detectable heartbeat.
- 03/07/2023 Senate—Introduced—SJ 214
03/08/2023 Senate—Referred to Committee on Judiciary—SJ 216
- S 299**
Bill by Federal and State Affairs
Providing a Kansas exemption for state income tax purposes for an unborn child with a detectable heartbeat.
- 03/07/2023 Senate—Introduced—SJ 214
03/08/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 216
- S 300**
Bill by Assessment and Taxation
Decreasing the privilege tax rates on banks, trust companies and savings and loan associations by reducing the normal tax rates.
- 03/07/2023 Senate—Introduced—SJ 214
03/08/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 216
03/08/2023 Senate—Hearing: Tuesday, March 14, 2023, 9:30 AM Room 548-S
03/16/2023 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 254
03/27/2023 Senate—Committee of the Whole - Be passed—SJ 324
03/28/2023 Senate—Final Action - Passed; Yea: 34 Nay: 6—SJ 348
03/29/2023 House—Received and Introduced—HJ 566
04/03/2023 House—Referred to Committee on Taxation—HJ 594
- S 301**
Bill by Ways and Means
Requiring annual filing of a statement of substantial interest by local governmental officers and employees, exempting elected or appointed officers of townships or school districts from such requirements absent a change in substantial interests of such officers.
- 03/07/2023 Senate—Introduced—SJ 214
03/08/2023 Senate—Referred to Committee on Transparency and Ethics—SJ 216
03/10/2023 Senate—Hearing: Wednesday, March 15, 2023, 9:30 AM Room 142-S
03/22/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Transparency and Ethics—SJ 281
03/28/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 360
03/28/2023 Senate—Committee of the Whole - Amendment by Senator Francisco was adopted—SJ 360
03/28/2023 Senate—Committee of the Whole - Be passed as further amended—SJ 360
03/29/2023 Senate—Final Action - Passed as amended; Yea: 40 Nay: 0—SJ 370
04/03/2023 House—Received and Introduced—HJ 594
04/04/2023 House—Referred to Committee on Elections—HJ 610
- S 302**
Bill by Federal and State Affairs
Suspending fidfin transactions, custodial services and trust business of technology-enabled fiduciary financial institutions until the legislature expressly consents to and approves such activities by an act of the legislature and

- requiring the legislature to conduct a forensic audit of technology-enabled fiduciary financial institutions.**
- 03/08/2023 Senate—Introduced—SJ 215
 03/09/2023 Senate—Referred to Committee on Financial Institutions and Insurance—SJ 221
- S 303** Bill by Federal and State Affairs
Establishing the Kansas legal tender act and providing for an income tax subtraction modification for sales of specie.
- 03/08/2023 Senate—Introduced—SJ 215
 03/09/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 221
 03/15/2023 Senate—Hearing: Tuesday, March 21, 2023, 10:30 AM Room 144-S
 03/23/2023 Senate—Committee Report recommending bill be passed by Committee on Federal and State Affairs—SJ 290
 03/29/2023 Senate—Committee of the Whole - Passed over and retain a place on the calendar—SJ 386
- S 304** Bill by Federal and State Affairs
Authorizing the state board of education to establish a new unified school district, if necessary, for the attachment of territory of a school district disorganized via voter petition and providing for administrative and judicial review of resolutions to permanently close a public school building.
- 03/08/2023 Senate—Introduced—SJ 215
 03/09/2023 Senate—Referred to Committee on Education—SJ 221
 03/10/2023 Senate—Hearing: Thursday, March 16, 2023, 1:30 PM Room 144-S
- S 305** Bill by Federal and State Affairs
Enacting the massage therapist licensure act to provide for regulation and licensing of massage therapists.
- 03/08/2023 Senate—Introduced—SJ 215
 03/09/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 221
- S 306** Bill by Assessment and Taxation
Including losses from investments in technology-enabled fiduciary financial institutions in Kansas adjusted gross income for income tax purposes.
- 03/08/2023 Senate—Introduced—SJ 215
 03/09/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 221
- S 307** Bill by Ways and Means
Adding for-profit private entity to the definition of "qualified applicant" in the Kansas fights addiction act.
- 03/09/2023 Senate—Introduced—SJ 220
 03/10/2023 Senate—Referred to Committee on Ways and Means—SJ 227
 03/15/2023 Senate—Hearing: Tuesday, March 21, 2023, 10:30 AM Room 548-S
 03/23/2023 Senate—Committee Report recommending bill be passed by Committee on Ways and Means—SJ 303
 03/28/2023 Senate—Committee of the Whole - Be passed—SJ 361
 03/29/2023 Senate—Final Action - Passed; Yea: 40 Nay: 0—SJ 370
 04/03/2023 House—Received and Introduced—HJ 594
 04/04/2023 House—Referred to Committee on Corrections and Juvenile Justice—HJ 610
- S 308** Bill by Ways and Means
Establishing a state employment preference for persons with disabilities and expanding the veterans preference to include remarried spouses of a deceased veteran who died while, and as a result of, serving in the armed forces and surviving spouses, whether remarried or not remarried of a prisoner of war.

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- 03/09/2023 Senate—Introduced—SJ 220
03/10/2023 Senate—Referred to Committee on Ways and Means—SJ 227
03/15/2023 Senate—Hearing: Tuesday, March 21, 2023, 10:30 AM Room 548-S
03/23/2023 Senate—Committee Report recommending bill be passed by Committee on Ways and Means—SJ 303
- S 309** Bill by Ways and Means
Creating the fixing instant revenue shock for taxpayers fund and the local extraordinary needs fund, establishing the joint committee on local extraordinary needs grants and abolishing the local ad valorem tax reduction fund.
03/09/2023 Senate—Introduced—SJ 221
03/10/2023 Senate—Referred to Committee on Ways and Means—SJ 227
03/13/2023 Senate—Hearing: Wednesday, March 15, 2023, 10:30 AM Room 548-S
03/23/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Ways and Means—SJ 303
03/27/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 328
03/27/2023 Senate—Committee of the Whole - Be passed as amended—SJ 328
03/28/2023 Senate—Final Action - Not passed; Yea: 17 Nay: 23—SJ 348
- S 310** Bill by Federal and State Affairs
Creating the medical cannabis regulation act to regulate the cultivation, processing, distribution, sale and use of medical cannabis.
03/13/2023 Senate—Introduced—SJ 228
03/14/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 230
- S 311** Bill by Assessment and Taxation
Excluding internal revenue code section 1031 exchange transactions as indicators of fair market value for property tax valuation purposes.
03/14/2023 Senate—Introduced—SJ 230
03/15/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 236
03/15/2023 Senate—Hearing: Wednesday, March 22, 2023, 9:30 AM Room 548-S
03/22/2023 Senate—Hearing: Thursday, March 23, 2023, 9:30 AM Room 548-S
03/24/2023 Senate—Committee Report recommending bill be passed by Committee on Assessment and Taxation—SJ 304
- S 312** Bill by Assessment and Taxation
Requiring the approval of the board of county commissioners prior to the exercise of the power of eminent domain by certain public utilities.
03/14/2023 Senate—Introduced—SJ 230
03/15/2023 Senate—Referred to Committee on Local Government—SJ 236
03/15/2023 Senate—Hearing: Thursday, March 23, 2023, 9:30 AM Room 142-S
- S 313** Bill by Assessment and Taxation
Clarifying the determination of taxable income and providing for the passing through of tax credits to electing pass-through entity owners for purposes of the salt parity act.
03/15/2023 Senate—Introduced—SJ 233
03/16/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 243
03/16/2023 Senate—Hearing: Wednesday, March 22, 2023, 9:30 AM Room 548-S
03/24/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Assessment and Taxation—SJ 305
- S 314** Bill by Federal and State Affairs
Prohibiting the secretary of health and environment from requiring COVID-19 vaccination for children attending a child care facility or school.
03/15/2023 Senate—Introduced—SJ 233
03/16/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 243
03/16/2023 Senate—Hearing: Wednesday, March 22, 2023, 8:30 AM Room 142-S

- 03/23/2023 Senate—Committee Report recommending bill be passed by Committee on Public Health and Welfare—SJ 298
- 03/28/2023 Senate—Committee of the Whole - Be passed—SJ 359
- 03/29/2023 Senate—Final Action - Passed; Yea: 24 Nay: 16—SJ 371
- 04/03/2023 House—Received and Introduced—HJ 594
- 04/04/2023 House—Referred to Committee on Health and Human Services—HJ 610
- S 315** Bill by Federal and State Affairs
Requiring child care facilities, elementary, secondary and postsecondary educational institutions and employers to grant exemptions from vaccine requirements without inquiring into the sincerity of the request and repealing the meningitis vaccine requirement to live in student housing.
- 03/15/2023 Senate—Introduced—SJ 233
- 03/16/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 243
- 03/16/2023 Senate—Hearing: Tuesday, March 21, 2023, 8:30 AM Room 142-S
- 03/24/2023 Senate—Committee Report recommending bill be passed as amended by Committee on Public Health and Welfare—SJ 308
- 03/28/2023 Senate—Committee of the Whole - Committee Report be adopted—SJ 362
- 03/28/2023 Senate—Committee of the Whole - Be passed as amended—SJ 362
- 03/29/2023 Senate—Final Action - Passed as amended; Yea: 22 Nay: 18—SJ 371
- 04/03/2023 House—Received and Introduced—HJ 594
- 04/04/2023 House—Referred to Committee on Health and Human Services—HJ 610
- S 316** Bill by Ways and Means
Authorizing a comprehensive grant program for not-for-profit independent institutions of higher education to be administered by the treasurer.
- 03/16/2023 Senate—Introduced—SJ 242
- 03/17/2023 Senate—Referred to Committee on Education—SJ 262
- S 317** Bill by Federal and State Affairs
Permitting a prosecution for childhood sexual abuse to be commenced at any time, extending the time to file civil actions for recovery of damages caused by childhood sexual abuse and providing exceptions in the Kansas tort claims act for claims arising from such abuse.
- 03/16/2023 Senate—Introduced—SJ 242
- 03/17/2023 Senate—Referred to Committee on Judiciary—SJ 262
- 03/21/2023 Senate—Hearing: Thursday, March 23, 2023, 10:30 AM Room 346-S
- S 318** Bill by Ways and Means
Removing the requirement that municipal courts collect fingerprints from persons convicted of violating certain municipal ordinance provisions related to vehicle registration or driving without a valid driver's license or motor vehicle liability insurance coverage.
- 03/16/2023 Senate—Introduced—SJ 242
- 03/17/2023 Senate—Referred to Committee on Judiciary—SJ 262
- S 319** Bill by Ways and Means
Establishing the alternatives to abortion program to provide resources and promote childbirth to women facing unplanned pregnancies.
- 03/21/2023 Senate—Introduced—SJ 266
- 03/22/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 273
- S 320** Bill by Ways and Means
Creating the born-alive infants protection act to provide legal protections for infants who are born alive regardless of the intent of the delivery.
- 03/21/2023 Senate—Introduced—SJ 266
- 03/22/2023 Senate—Referred to Committee on Public Health and Welfare—SJ 273
- S 321** Bill by Federal and State Affairs
Providing for a presidential preference primary election on March 19, 2024, and

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- establishing voter registration and voting procedures for such election.**
03/21/2023 Senate—Introduced—SJ 266
03/21/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 271
03/21/2023 Senate—Hearing: Thursday, March 23, 2023, 10:30 AM Room 144-S
S 322 Bill by Federal and State Affairs
Authorizing any gaming compact regarding sports wagering to include provisions governing sports wagering outside the boundaries of Indian lands.
03/23/2023 Senate—Introduced—SJ 282
03/24/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 304
03/24/2023 Senate—Hearing: Monday, March 27, 2023, 12:15 PM Room 144-S
S 323 Bill by Assessment and Taxation
Providing for the election of county appraisers.
03/24/2023 Senate—Introduced—SJ 304
03/27/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 321
S 324 Bill by Ways and Means
Creating the legislative help grant fund, establishing legislative help grants, state representative grants and state senator grants for cities and counties and prescribing procedures, requirements and limitations for such grants.
04/05/2023 Senate—Introduced—SJ 416
04/06/2023 Senate—Referred to Committee on Ways and Means—SJ 472
S 325 Bill by Ways and Means
Establishing the transformation of passenger and freight vehicle industry program to attract businesses engaged in electric motor vehicle and hydrogen-powered vehicle production by offering qualified companies that meet certain requirements an investment tax credit, retention of a percentage of total payroll tax, reimbursement of a percentage of eligible employee training and education expenses and a sales tax exemption for construction costs of the qualified company's qualified business facility.
04/06/2023 Senate—Introduced—SJ 471
04/24/2023 Senate—Referred to Committee on Commerce—SJ 1085
04/25/2023 Senate—Hearing: Wednesday, April 26, 2023, 8:00 AM Room 546-S
S 326 Bill by Ways and Means
Making and concerning appropriations for FY 23 and FY 24 for the department of administration for an income tax rebate to certain Kansas resident taxpayers.
04/26/2023 Senate—Introduced—SJ 1089
04/27/2023 Senate—Referred to Committee on Ways and Means—SJ 1119
S 1601 Concurrent Resolution by Senators Masterson, Alley, Sykes
Informing the Governor that the two houses of the Legislature are organized and ready to receive communications.
01/09/2023 Senate—Introduced—SJ 3
01/09/2023 Senate—Adopted without roll call—SJ 3
01/09/2023 House—Received and Introduced—HJ 55
01/09/2023 House—Adopted without roll call—HJ 55
01/12/2023 Senate—Enrolled and presented to Secretary of State on Thursday, January 12, 2023—SJ 20
S 1602 Concurrent Resolution by Senators Kerschen, Alley, Baumgardner, Billinger, Blasi, Bowers, Dietrich, Doll, Erickson, Fagg, Faust-Goudeau, Kloos, Longbine, Masterson, McGinn, Olson, O'Shea, Peck, Petersen, Pettey, Pyle, Ryckman, Steffen, Straub, Thompson, Tyson, Warren, Wilborn
Disapproving the designation of the lesser prairie chicken as a threatened species in Kansas by the United States Fish and Wildlife Service.
01/23/2023 Senate—Introduced—SJ 40

- 01/23/2023 Senate—Adopted without roll call—SJ 40
 01/24/2023 House—Received and Introduced—HJ 99
 01/25/2023 House—Referred to Committee on Agriculture and Natural Resources—HJ 117
 02/02/2023 House—Hearing: Monday, February 6, 2023, 3:30 PM Room 112-N
 02/07/2023 House—Committee Report recommending resolution be adopted by Committee on Agriculture and Natural Resources—HJ 166
 02/08/2023 House—Committee of the Whole - Be adopted—HJ 177
 02/09/2023 House—Final Action - Adopted; Yea: 83 Nay: 35—HJ 189
 02/09/2023 Senate—Enrolled and presented to Secretary of State on Thursday, February 9, 2023—SJ 89
- S 1603** Concurrent Resolution by Senators Fagg, Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Dietrich, Doll, Erickson, Gossage, Kerschen, Kloos, Longbine, Masterson, McGinn, Olson, O'Shea, Peck, Petersen, Pyle, Ryckman, Shallenburger, Steffen, Straub, Thompson, Warren, Wilborn
- Urging the President of the United States to restore energy independence in the United States.**
- 01/26/2023 Senate—Introduced—SJ 51
 01/26/2023 Senate—Referred to Committee of the Whole—SJ 51
 02/09/2023 Senate—Committee of the Whole - Be adopted—SJ 86
 02/09/2023 Senate—Emergency Final Action - Adopted; Yea: 28 Nay: 10—SJ 89
 02/10/2023 House—Received and Introduced—HJ 205
 02/13/2023 House—Referred to Committee on Energy, Utilities and Telecommunications—HJ 207
 03/07/2023 House—Hearing: Thursday, March 16, 2023, 9:00 AM Room 582-N
 03/21/2023 House—Committee Report recommending resolution be adopted as amended by Committee on Energy, Utilities and Telecommunications—HJ 472
 03/28/2023 House—Committee of the Whole - Committee Report be adopted—HJ 556
 03/28/2023 House—Committee of the Whole - Be adopted as amended Yea: 84 Nay: 35—HJ 556
 03/29/2023 House—Final Action - Adopted as amended; Yea: 87 Nay: 37—HJ 569
 04/04/2023 Senate—Concurred with amendments; Yea: 29 Nay: 10—SJ 414
 04/24/2023 Senate—Enrolled and presented to Secretary of State on Friday, April 14, 2023—SJ 1085
- S 1604** Concurrent Resolution by Senator Pittman
- Proposing to amend section 1 of article 11 of the constitution of the state of Kansas to limit property tax valuation increases for residential property.**
- 02/08/2023 Senate—Introduced—SJ 76
 02/09/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 82
- S 1605** Concurrent Resolution by Senators Straub, Claeys, Doll, Gossage, Kloos, Peck, Pittman, Pyle, Steffen, Thompson
- Proposing a constitutional amendment imposing term limits for state legislators.**
- 02/14/2023 Senate—Introduced—SJ 96
 02/15/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 104
- S 1606** Concurrent Resolution by Federal and State Affairs
- Constitutional amendment proposing the Kansas Citizen Involvement Amendment to reserve the powers of initiative and referendum to the citizens of Kansas.**
- 02/15/2023 Senate—Introduced—SJ 101
 02/16/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 112
- S 1607** Concurrent Resolution by Federal and State Affairs
- Making application to the United States congress to call a convention of the states**

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for the purpose of proposing amendments to limit the federal government.

- 02/15/2023 Senate—Introduced—SJ 104
02/16/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 112
03/08/2023 Senate—Hearing: Monday, March 13, 2023, 10:30 AM Room 144-S
03/14/2023 Senate—Committee Report recommending resolution be adopted by Committee on Federal and State Affairs—SJ 232
03/21/2023 Senate—Committee of the Whole - Be adopted—SJ 268
03/22/2023 Senate—Final Action - Not adopted by required 2/3 majority; Yea: 22 Nay: 16—SJ 276
- S 1608** Concurrent Resolution by Federal and State Affairs
Urging the adoption of a student bill of rights.
02/20/2023 Senate—Introduced—SJ 120
02/21/2023 Senate—Referred to Committee on Education—SJ 129
- S 1609** Concurrent Resolution by Senators Claeys, Alley, Baumgardner, Blasi, Bowers, Erickson, Fagg, Gossage, Kerschen, Kloos, Masterson, Peck, Steffen, Straub, Thompson, Warren, Wilborn
Making application to the Congress of the United States to call a convention of the states to establish term limits for members of Congress.
02/23/2023 Senate—Introduced—SJ 159
03/01/2023 Senate—Referred to Committee on Federal and State Affairs—SJ 201
- S 1610** Concurrent Resolution by Assessment and Taxation
Proposing to amend section 1 of article 11 of the constitution of the state of Kansas to limit property tax valuation increases for real property.
03/15/2023 Senate—Introduced—SJ 233
03/16/2023 Senate—Referred to Committee on Assessment and Taxation—SJ 243
03/16/2023 Senate—Hearing: Wednesday, March 22, 2023, 9:30 AM Room 548-S
03/24/2023 Senate—Committee Report recommending resolution be adopted by Committee on Assessment and Taxation—SJ 307
03/29/2023 Senate—Committee of the Whole - Amendment by Senator Tyson was adopted—SJ 382
03/29/2023 Senate—Committee of the Whole - Be adopted as amended—SJ 382
03/29/2023 Senate—Emergency Final Action - Not adopted; Yea: 26 Nay: 14—SJ 387
- S 1611** Concurrent Resolution by Assessment and Taxation
Proposing to amend section 1 of article 11 of the constitution of the state of Kansas to limit property tax valuation increases for real property.
04/04/2023 Senate—Introduced—SJ 406
04/05/2023 Senate—Referred to Committee of the Whole—SJ 416
04/05/2023 Senate—Motion to advance to EFA, subject to amendment, debate and roll call. Motion carried. Yea: 27 Nay: 7—SJ 417
04/05/2023 Senate—Committee of the Whole - Amendment by Senator Holland was rejected Yea: 11 Nay: 28—SJ 418
04/05/2023 Senate—Emergency Final Action - Adopted; Yea: 28 Nay: 11—SJ 419
04/05/2023 House—Received and Introduced—HJ 622
04/06/2023 House—Referred to Committee on Taxation—HJ 735
- S 1612** Concurrent Resolution by Senators Masterson, Alley, Sykes
Providing for the adjournment of the Senate and House of Representatives for a period of time during the 2023 regular session of the legislature.
04/06/2023 Senate—Introduced—SJ 849
04/06/2023 Senate—Adopted without roll call—SJ 850
04/06/2023 House—Received and Introduced—HJ 735
04/06/2023 House—Adopted without roll call—HJ 1123
04/24/2023 Senate—Enrolled and presented to Secretary of State on Friday, April 14,

2023—SJ 1085

- S 1701** Resolution by Senators Masterson, Alley, Sykes
Providing for the organization of the Senate for the 2023 session of the Legislature.
 01/09/2023 Senate—Introduced—SJ 5
 01/09/2023 Senate—Adopted without roll call—SJ 5
 01/11/2023 Senate—Enrolled on Wednesday, January 11, 2023—SJ 17
- S 1702** Resolution by Senators Masterson, Alley, Sykes
Assigning seats in the Senate for the 2023 session.
 01/09/2023 Senate—Introduced—SJ 5
 01/09/2023 Senate—Adopted without roll call—SJ 5
 01/11/2023 Senate—Enrolled on Wednesday, January 11, 2023—SJ 17
- S 1703** Resolution by Senators Masterson, Alley, Sykes
Amending the rules of the Senate to increase the number of members on the committee on assessment and taxation.
 01/09/2023 Senate—Introduced—SJ 5
 01/09/2023 Senate—Adopted without roll call—SJ 7
 01/11/2023 Senate—Enrolled on Wednesday, January 11, 2023—SJ 17
- S 1704** Resolution by Senator Francisco
Honoring Robert Steinhardt for his outstanding achievements.
 01/23/2023 Senate—Introduced—SJ 41
 01/23/2023 Senate—Adopted without roll call—SJ 42
 01/24/2023 Senate—Enrolled on Tuesday, January 24, 2023—SJ 45
- S 1705** Resolution by Education
congratulating and commending the members of the 2023 Kansas Teacher of the Year team.
 01/25/2023 Senate—Introduced—SJ 47
 01/25/2023 Senate—Adopted without roll call—SJ 48
 01/26/2023 Senate—Enrolled on Thursday, January 26, 2023—SJ 51
- S 1706** Resolution by Senator McGinn
Recognizing February 2, 2023, as Wear Red Day in the Kansas legislature.
 02/02/2023 Senate—Introduced—SJ 63
 02/02/2023 Senate—Adopted without roll call—SJ 64
 02/03/2023 Senate—Enrolled on Friday, February 3, 2023—SJ 66
- S 1707** Resolution by Senator Bowers
Recognizing the Kansas Chiropractic Association's invaluable work for Kansas chiropractic physicians.
 02/07/2023 Senate—Introduced—SJ 72
 02/07/2023 Senate—Adopted without roll call—SJ 73
 02/09/2023 Senate—Enrolled on Thursday, February 9, 2023—SJ 89
- S 1708** Resolution by Senator Alley
Designating February 8, 2023, as JAG-K Day at the Capitol
 02/08/2023 Senate—Introduced—SJ 79
 02/08/2023 Senate—Adopted without roll call—SJ 80
 02/09/2023 Senate—Enrolled on Thursday, February 9, 2023—SJ 89
- S 1709** Resolution by
Recognizing the members of Delta Sigma Theta Sorority, Inc.
 02/14/2023 Senate—Introduced—SJ 97
 02/14/2023 Senate—Adopted without roll call—SJ 98
 02/15/2023 Senate—Enrolled on Wednesday, February 15, 2023—SJ 109
- S 1710** Resolution by Senator Dietrich
Congratulating and commending award-winning Kansas educators.
 02/16/2023 Senate—Introduced—SJ 112
 02/16/2023 Senate—Adopted without roll call—SJ 114

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- 02/17/2023 Senate—Enrolled on Friday, February 17, 2023—SJ 118
- S 1711** Resolution by Senator Ware
Commemorating the 125th Anniversary of Friends University.
03/01/2023 Senate—Introduced—SJ 201
03/01/2023 Senate—Adopted without roll call—SJ 202
03/03/2023 Senate—Enrolled on Friday, March 3, 2023—SJ 208
- S 1712** Resolution by Senators Holland, Erickson, Alley, Baumgardner, Dietrich, Faust-Goudeau, Francisco, Gossage, Haley, Longbine, Masterson, O'Shea, Peck, Petersen, Pettey, Reddi, Ryckman, Shallenburger, Steffen, Straub, Sykes, Ware, Warren
Recognizing the Kansas Small Business Development Center's 2023 Businesses of the Year.
03/02/2023 Senate—Introduced—SJ 206
03/02/2023 Senate—Adopted without roll call—SJ 207
03/03/2023 Senate—Enrolled on Friday, March 3, 2023—SJ 208
- S 1713** Resolution by Senators Reddi, Bowers, Corson, Dietrich, Doll, Erickson, Faust-Goudeau, Francisco, Haley, Holland, Holscher, Kloos, Longbine, Masterson, McGinn, Petersen, Pettey, Pittman, Shallenburger, Sykes, Ware, Wilborn
Recognizing March 8, 2023, as International Women's Day.
03/08/2023 Senate—Introduced—SJ 216
03/08/2023 Senate—Adopted without roll call—SJ 216
03/09/2023 Senate—Enrolled on Thursday, March 9, 2023—SJ 226
- S 1714** Resolution by Senator Longbine
Congratulating and commending the 2023 Kansas Master Teachers.
03/14/2023 Senate—Introduced—SJ 231
03/14/2023 Senate—Adopted without roll call—SJ 231
03/17/2023 Senate—Enrolled on Friday, March 17, 2023—SJ 262
- S 1715** Resolution by Senator Doll
Honoring Real Men Real Leaders outstanding service in Garden City, Kansas.
03/15/2023 Senate—Introduced—SJ 237
03/15/2023 Senate—Adopted without roll call—SJ 237
03/17/2023 Senate—Enrolled on Friday, March 17, 2023—SJ 262
- S 1716** Resolution by Senator O'Shea
Commemorating the celebration of St. Patrick's Day.
03/16/2023 Senate—Introduced—SJ 243
03/16/2023 Senate—Adopted without roll call—SJ 243
03/17/2023 Senate—Enrolled on Friday, March 17, 2023—SJ 262
- S 1717** Resolution by Senators Faust-Goudeau, Blasi
Recognizing Storytime Village, Inc., for its literacy programs.
03/23/2023 Senate—Introduced—SJ 283
03/23/2023 Senate—Adopted without roll call—SJ 283
03/24/2023 Senate—Enrolled on Friday, March 24, 2023—SJ 320
- S 1718** Resolution by Senators Bowers, Wilborn
Honoring the lives lost during the construction of the Kansas State Capitol.
03/23/2023 Senate—Introduced—SJ 284
03/23/2023 Senate—Adopted without roll call—SJ 285
03/24/2023 Senate—Enrolled on Friday, March 24, 2023—SJ 320
- S 1719** Resolution by Senator Erickson
Commemorating May 2023 as Jewish American Heritage Month.
03/29/2023 Senate—Introduced—SJ 367
03/29/2023 Senate—Adopted without roll call—SJ 369
03/30/2023 Senate—Enrolled on Thursday, March 30, 2023—SJ 395
- S 1720** Resolution by Senator Reddi

- Recognizing the contributions of Kansas rotarians.**
 04/03/2023 Senate—Introduced—SJ 399
 04/03/2023 Senate—Adopted without roll call—SJ 400
 04/04/2023 Senate—Enrolled on Tuesday, April 4, 2023—SJ 415
- S 1721** Resolution by Senator Wilborn
- Recognizing the 125th Anniversary of the Smoky Valley Roller Mills.**
 04/26/2023 Senate—Introduced—SJ 1089
 04/26/2023 Senate—Adopted without roll call—SJ 1090
 04/28/2023 Senate—Enrolled on Friday, April 28, 2023—SJ 1359
- S 1722** Resolution by Senators Reddi, Alley, Baumgardner, Billinger, Blasi, Bowers, Claeys, Corson, Dietrich, Doll, Fagg, Francisco, Haley, Holscher, Kerschen, Longbine, Masterson, McGinn, O'Shea, Petersen, Pettey, Ryckman, Shallenburger, Sykes, Tyson, Wilborn
- Recognizing Dr. Sue K. Peterson Thomas for her service to the State of Kansas and Kansas State University.**
 04/26/2023 Senate—Introduced—SJ 1091
 04/26/2023 Senate—Adopted without roll call—SJ 1092
 04/28/2023 Senate—Enrolled on Friday, April 28, 2023—SJ 1359
- S 1723** Resolution by Senators Wilborn, Alley, Billinger, Claeys, Longbine, Masterson, Petersen, Sykes
- Commemorating the 20th anniversary of the bilateral relations between Kansas and the Republic of Armenia.**
 04/26/2023 Senate—Introduced—SJ 1092
 04/26/2023 Senate—Adopted without roll call—SJ 1092
 04/28/2023 Senate—Enrolled on Friday, April 28, 2023—SJ 1359
- S 1724** Resolution by Senators Erickson, Francisco, Masterson, Sykes
- Congratulating and commending the 2022-2023 University of Kansas women's basketball team on their 2023 WNIT Championship.**
 04/27/2023 Senate—Introduced—SJ 1201
 04/27/2023 Senate—Adopted without roll call—SJ 1201
 04/28/2023 Senate—Enrolled on Friday, April 28, 2023—SJ 1359
- S 1725** Resolution by Joint Committee on State -Tribal Relations
- Approving an amendment to the gaming compact with the Prairie Band Potawatomi Nation concerning sports wagering.**
 04/28/2023 Senate—Introduced—SJ 1271
 04/28/2023 Senate—Committee Report recommending resolution be adopted by Joint Committee on State-Tribal Relations—SJ 1271
 04/28/2023 Senate—Motion to advance to EFA, subject to amendment, debate and roll call. Motion carried.—SJ 1275
 04/28/2023 Senate—Emergency Final Action - Adopted; Yea: 27 Nay: 8—SJ 1275
- S 1726** Resolution by Senators Bowers, Billinger
- Honoring the legendary Kansas sculptor Pete Felten on his 90th birthday.**
 04/28/2023 Senate—Introduced—SJ 1268
 04/28/2023 Senate—Adopted without roll call—SJ 1269
 04/28/2023 Senate—Enrolled on Friday, April 28, 2023—SJ 1359
- S 1727** Resolution by Senator Haley
- Commemorating the 100th anniversary of the cage elevator in the Kansas State Capitol.**
 04/28/2023 Senate—Introduced—SJ 1269
 04/28/2023 Senate—Adopted without roll call—SJ 1270
 04/28/2023 Senate—Enrolled on Friday, April 28, 2023—SJ 1359

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FINAL
SENATE CALENDAR
No. 65

JANUARY 9, 2023 THROUGH ADJOURNMENT April 28, 2023
NUMERICAL SCHEDULE OF SENATE BILLS

1 Fed & State	39 Signed, St Bk	77 Fed & State
2 Judiciary	40 H Taxation	78 Utilities
3 Signed, St. Bk	41 Gen Orders	79 Assess & Taxation
4 Assess & Taxation	42 (H Sub) Signed, Pub 4/27/23	80 Gen Orders
5 H Health & Hum Serv	43 Pub Health & Welfare	81 Gen Orders
6 H Health & Hum Serv	44 Signed, Pub 4/27/23	82 Gen Orders
7 Assess & Taxation	45 Pub Health & Welfare	83 (H Sub) CCR Not Adptd
8 Veto, sustained	46 Utilities	84 Education
9 Judiciary	47 Commerce	85 Signed, St. Bk
10 Ways & Means	48 Education	86 Local Government
11 Signed, Pub 3/16/23	49 Signed, Pub 4/20/23	87 Judiciary
12 Pub Health & Welfare	50 Judiciary	88 Utilities
13 Stricken, H Cal	51 Fin Inst & Insurance	89 Assess & Taxation
14 Conference	52 Assess & Taxation	90 Transportation
15 Conference	53 H Taxation	91 H Gen Orders
16 Fin Inst & Insurance	54 Gen Orders	92 Fed & State
17 Signed, Pub 5/4/23	55 (Sub) H Taxation	93 Fed & State
18 Conference	56 Assess & Taxation	94 Gen Orders
19 Conference	57 Assess & Taxation	95 Judiciary
20 Pub Health & Welfare	58 Assess & Taxation	96 (H Sub) H Gen Orders
21 Assess & Taxation	59 H Legisl Modernization	97 Gen Orders
22 Assess & Taxation	60 Gen Orders	98 H Health & Hum Serv
23 Gen Orders	61 Assess & Taxation	99 Fed & State
24 Signed, St Bk	62 Fin Inst & Insurance	100 Judiciary
25 Line item vetoes, sustained, Pub 5/25/23	63 Gen Orders	101 Assess & Taxation
26 Veto, sustained	64 Fed & State	102 Education
27 Conference	65 Fed & State	103 Pub Health & Welfare
28 Conference	66 Signed, St. Bk	104 Gen Orders
29 Assess & Taxation	67 Ways & Means	105 Ag & Nat Resources
30 Gen Orders	68 Gen Orders	106 Signed, St Bk
31 Education	69 Fed & State	107 Judiciary
32 Education	70 Commerce	108 Judiciary
33 H Taxation	71 Ag & Nat Resources	109 Education
34 H Gen Orders	72 Judiciary	110 Assess & Taxation
35 Ways & Means	73 (H Sub) Conference	111 Pub Health & Welfare
36 Fed & State	74 Judiciary	112 H Health & Hum Serv
37 H Fin Inst & Pensions	75 Signed, St Bk	113 (H Sub) Line item vetoes, sustained, Pub 6/8/23
38 Commerce	76 Fin Inst & Insurance	114 Signed, St Bk

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115 Conference	165 Commerce	214 Utilities
116 (H Sub) Signed, St. Bk	166 Gen Orders	215 Transportation
117 Fed & State	167 Education	216 Judiciary
118 Pub Health & Welfare	168 Assess & Taxation	217 Signed, St. Bk
119 Signed, St. Bk	169 (H Sub) Veto, sustained	218 Fed & State
120 Signed, St. Bk	170 Judiciary	219 H Health & Hum Serv
121 Pub Health & Welfare	171 Fed & State	220 Fed & State
122 Education	172 Gen Orders	221 Signed, St. Bk
123 Signed, Pub 5/4/23	173 Pub Health & Welfare	222 Fed & State
124 Assess & Taxation	174 Signed, St. Bk	223 Fed & State
125 Assess & Taxation	175 Pub Health & Welfare	224 Fed & State
126 Gen Orders	176 Pub Health & Welfare	225 Pub Health & Welfare
127 H Taxation	177 Fed & State	226 Education
128 Gen Orders	178 Assess & Taxation	227 Assess & Taxation
129 Assess & Taxation	179 Assess & Taxation	228 Veto, overridden
130 H Transportation	180 Veto, overridden	229 (H Sub) Signed,
131 Signed, St. Bk	181 Pub Health & Welfare	Pub 5/4/23
132 Signed, Pub 5/4/23	182 Judiciary	230 Assess & Taxation
133 Fed & State	183 Judiciary	231 Education
134 Fed & State	184 Education	232 H Child Wel & Fos Care
135 Fed & State	185 Education	233 H Health & Hum Serv
136 Assess & Taxation	186 Judiciary	234 Pub Health & Welfare
137 Judiciary	187 Judiciary	235 Pub Health & Welfare
138 Gen Orders	188 Judiciary	236 Fin Inst & Insurance
139 Pub Health & Welfare	189 Signed, St. Bk	237 Judiciary
140 Commerce	190 Judiciary	238 Gen Orders
141 Judiciary	191 Pub Health & Welfare	239 Judiciary
142 Transportation	192 Judiciary	240 Judiciary
143 H Transportation	193 Judiciary	241 Judiciary
144 Signed, St. Bk	194 Failed, H Final Action	242 Judiciary
145 Education	195 H Appropriations	243 Signed, St. Bk
146 Judiciary	196 Assess & Taxation	244 (H Sub) Signed, St. Bk
147 H Taxation	197 Fed & State	245 Fin Inst & Insurance
148 Pub Health & Welfare	198 Ways & Means	246 Pub Health & Welfare
149 Judiciary	199 Fin Inst & Insurance	247 Assess & Taxation
150 Local Government	200 Fed & State	248 H Taxation
151 Ways & Means	201 Judiciary	249 Fed & State
152 Gen Orders	202 Fed & State	250 Fed & State
153 Ways & Means	203 Gen Orders	251 Fed & State
154 Utilities	204 Fin Inst & Insurance	252 H Taxation
155 (Sub) H Appropriations	205 Signed, Pub 5/4/23	253 Fed & State
156 Fed & State	206 Pub Health & Welfare	254 Fed & State
157 Fed & State	207 Education	255 Education
158 Judiciary	208 (H Sub)Signed,	256 Fin Inst & Insurance
159 Commerce	Pub 4/20/23	257 Fed & State
160 Judiciary	209 Veto, sustained	258 Judiciary
161 Pub Health & Welfare	210 Failed, Final Action	259 Fed & State
162 Local Government	211 Judiciary	260 Fed & State
163 Gen Orders	212 Local Government	261 Judiciary
164 Assess & Taxation	213 Pub Health & Welfare	262 Fed & State

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263 Gen Orders	285 Fed & State	307 H Juv Justice & Corr
264 Assess & Taxation	286 Fed & State	308 Gen Orders
265 H Judiciary	287 H Health & Hum Serv	309 Failed, Final Action
266 Judiciary	288 Judiciary	310 Fed & State
267 Judiciary	289 Judiciary	311 Gen Orders
268 Fed & State	290 Fed & State	312 Local Government
269 Fed & State	291 H Fin Inst & Pensions	313 Gen Orders
270 Judiciary	292 Judiciary	314 H Health & Hum Serv
271 H Transportation	293 Fed & State	315 H Health & Hum Serv
272 Ways & Means	294 Pub Health & Welfare	316 Education
273 Local Government	295 Gen Orders	317 Judiciary
274 Assess & Taxation	296 Fed & State	318 Judiciary
275 Ways & Means	297 H Health & Hum Serv	319 Pub Health & Welfare
276 Fed & State	298 Judiciary	320 Pub Health & Welfare
277 Pub Health & Welfare	299 Assess & Taxation	321 Fed & State
278 Utilities	300 H Taxation	322 Fed & State
279 Judiciary	301 H Elections	323 Fed & State
280 Judiciary	302 Fin Inst & Insurance	324 Ways & Means
281 Pub Health & Welfare	303 Gen Orders	325 Commerce
282 Commerce	304 Education	326 Ways & Means
283 Judiciary	305 Pub Health & Welfare	
284 Utilities	306 Assess & Taxation	

NUMERICAL SCHEDULE OF SENATE CONCURRENT RESOLUTIONS 2023 SESSION

1601 Adopted & Enr	1605 Fed & State	1609 Fed & State
1602 Adopted & Enr	1606 Fed & State	1610 Not Adopted by 2/3
1603 Adopted & Enr	1607 Not Adopted by 2/3	1611 H Taxation
1604 Assess & Taxation	1608 Education	1612 Adopted & Enr

NUMERICAL SCHEDULE OF SENATE RESOLUTIONS 2023 SESSION

1701 Adopted & Enr	1710 Adopted & Enr	1719 Adopted & Enr
1702 Adopted & Enr	1711 Adopted & Enr	1720 Adopted & Enr
1703 Adopted & Enr	1712 Adopted & Enr	1721 Adopted & Enr
1704 Adopted & Enr	1713 Adopted & Enr	1722 Adopted & Enr
1705 Adopted & Enr	1714 Adopted & Enr	1723 Adopted & Enr
1706 Adopted & Enr	1715 Adopted & Enr	1724 Adopted & Enr
1707 Adopted & Enr	1716 Adopted & Enr	1725 Adopted & Enr
1708 Adopted & Enr	1717 Adopted & Enr	1726 Adopted & Enr
1709 Adopted & Enr	1718 Adopted & Enr	1727 Adopted & Enr

SENATE ACTION ON HOUSE BILLS 2023 SESSION

2002 CCR Adopted	2127 (S Sub) Pass, Amended	2292 CCR Adopted
2010 (S Sub) Pass	2130 CCR Adopted	2293 Gen Orders
2014 CCR Adopted	2131 CCR Adopted	2298 CCR Adopted
2015 CCR Adopted	2132 Education	2302 (S Sub) CCR Adopted
2016 (S Sub) Pass, Amended	2133 Gen Orders	2304 Passed
2017 Judiciary	2138 (S Sub) Veto, overridden	2313 Veto, overridden
2018 Judiciary	2140 Pub Health & Welfare	2314 Fed & State
2019 CCR Adopted	2141 Failed, Final Action	2317 Assess & Taxation
2020 CCR Adopted	2144 Judiciary	2322 Pass, Amended
2021 CCR Adopted	2147 CCR Adopted	2323 Pass, Amended
2023 Judiciary	2149 Transportation	2325 Veto, sustained
2024 CCR Adopted	2160 Pass, Amended	2326 Pass, Amended
2026 Assess & Taxation	2170 (S Sub) CCR Adopted	2331 Commerce
2027 Pass, Amended	2172 Pass, Amended	2332 Passed
2033 Gen Orders	2173 Pass, Amended	2335 CCR Adopted
2034 Gen Orders	2176 Assess & Taxation	2336 CCR Adopted
2036 Assess & Taxation	2179 Pub Health & Welfare	2338 Gen Orders
2039 CCR Adopted	2184 Line Items Vetoes	2340 Gen Orders
2042 Pass, Amended	Considered	2344 (S Sub) Pass Amended
2047 Ag & Nat Resources	2191 Gen Orders	2346 CCR Adopted
2053 (S Sub) Pass	2194 Pub Health & Welfare	2350 Veto, overridden
2056 Fed & State	2196 CCR Adopted	2375 Conference
2058 (S Sub) CCR Adopted	2197 Passed	2376 Fed & State
2059 CCR Adopted	2198 Gen Orders	2378 Fed & State
2060 (S Sub) CCR Adopted	2201 (S Sub) Gen Orders	2387 Commerce
2065 CCR Adopted	2214 Pass, Amended	2388 Commerce
2069 (S Sub) S Gen Orders	2216 CCR Adopted	2390 (Sub) CCR Not Adopt
2070 (S Sub) Conference	2225 Passed	2392 Judiciary
2077 (Sub) Gen Orders	2226 Passed	2395 Passed
2080 Passed	2229 Assess & Taxation	2398 Judiciary
2082 Passed	2232 Assess & Taxation	2400 Commerce
2083 Gen Orders	2234 CCR adopted	2401 Commerce
2086 Gen Orders	2236 Pass, Amended	2408 Pub Health & Welfare
2087 Passed	2238 Veto, overridden	2412 Fed & State
2089 Conference	2240 Passed	2414 Commerce
2090 CCR Adopted	2247 Fin Inst & Insurance	2416 Assess & Taxation
2092 Passed	2254 Assess & Taxation	2418 Ways & Means
2093 CCR Adopted	2260 Gen Orders	2421 Assess & Taxation
2094 Veto, overridden	2262 Passed	2422 Fed & State
2096 Conference	2263 Pass, Amended	2436 Fed & State
2097 Conference	2264 Veto, overridden	2438 Fed & State
2098 Conference	2269 Passed	2439 Fed & State
2100 CCR Adopted	2275 Commerce	2443 Judiciary
2105 Fin Inst & Insurance	2279 CCR Adopted	2446 Commerce
2106 Gen Orders	2284 Conference	2449 Ways & Means
2114 Passed	2285 CCR Adopted	2452 Ways & Means
2121 (Sub) Passed	2288 Passed	2465 Assess & Taxation
2124 Fed & State	2290 Passed	
2125 Pass, Amended	2291 Fed & State	

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2023 SESSION

5001 Adopted	5004 S Education	5015 Adopted
5002 Adopted	5012 Adopted	5016 Adopted
5003 Adopted	5013 Gen Orders	

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CARRIED OVER TO 2024 SESSION

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Senate bills vetoed by Governor, veto sustained: Nos. 8, 26, 169, 209

Senate bills with line-item vetoes; line-item vetoes sustained: Nos. 25, 113

Senate resolutions adopted: Nos. 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727

Senate concurrent resolutions adopted by both Houses: Nos. 1601, 1602, 1603, 1612

Note: the following Senate bills were published in Kansas Register:
Nos. 11, 17, 25, 42, 44, 49, 113, 123, 132, 205, 208, 229

LEGEND

Cal	Calendar
Conference	Conference Committee
CCR	Conference Committee Report
Enr	Enrolled
Gen Orders	General Orders
H	House
Pass, Amended	Passed as Amended
Pub	Published in Kansas Register (Effective date printed)
S	Senate
St Bk	Statute Book (July 1, 2023)
Sub	Substitute



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Sykes, Dinah

- SB 139 Expanding newborn screening services and increasing transfer from the medical assistance fee fund to the Kansas newborn screening fund.
- SB 140 Allowing cities, counties or other local units of government to raise the minimum wage by ordinance, resolution or law.
- SB 211 Abolishing the death penalty and creating the crime of aggravated murder.
- SCR 1601 Informing the Governor that the two houses of the Legislature are organized and ready to receive communications.
- SCR 1612 Providing for the adjournment of the Senate and House of Representatives for a period of time during the 2023 regular session of the legislature.
- SR 1701 Providing for the organization of the Senate for the 2023 session of the Legislature.
- SR 1702 Assigning seats in the Senate for the 2023 session.
- SR 1703 Amending the rules of the Senate to increase the number of members on the committee on assessment and taxation.
- SR 1712 Recognizing the Kansas Small Business Development Center's 2023 Businesses of the Year.

- SR 1713 Recognizing March 8, 2023, as International Women's Day.
- SR 1722 Recognizing Dr. Sue K. Peterson Thomas for her service to the State of Kansas and Kansas State University.
- SR 1723 Commemorating the 20th anniversary of the bilateral relations between Kansas and the Republic of Armenia.
- SR 1724 Congratulating and commending the 2022-2023 University of Kansas women's basketball team on their 2023 WNIT Championship.

Thompson, Mike

- SB 12 Enacting the Kansas child mutilation prevention act to criminalize performing gender reassignment surgery or prescription of hormone replacement therapy on certain persons and providing grounds for unprofessional conduct for healing arts licensees.
- SB 20 Requiring child care facilities, elementary, secondary, postsecondary educational institutions and employers to grant exemptions from vaccine requirements without inquiring into the sincerity of the request and repealing the meningitis vaccine requirement to live in student housing.
- SB 50 Prohibiting internet social media terms of service that permit censorship of speech.
- SB 128 Establishing the ad astra opportunity tax credit to provide an income tax credit for taxpayers with eligible dependent children not enrolled in public school.
- SCR 1602 Disapproving the designation of the lesser prairie chicken as a threatened species in Kansas by the United States Fish and Wildlife Service.
- SCR 1603 Urging the President of the United States to restore energy independence in the United States.
- SCR 1605 Proposing a constitutional amendment imposing term limits for state legislators.
- SCR 1609 Making application to the Congress of the United States to call a convention of the states to establish term limits for members of Congress.

Tyson, Caryn

- SCR 1602 Disapproving the designation of the lesser prairie chicken as a threatened species in Kansas by the United States Fish and Wildlife Service.
- SR 1722 Recognizing Dr. Sue K. Peterson Thomas for her service to the State of Kansas and Kansas State University.

Ware, Mary

- SB 140 Allowing cities, counties or other local units of government to raise the minimum wage by ordinance, resolution or law.
- SB 211 Abolishing the death penalty and creating the crime of aggravated murder.
- SR 1711 Commemorating the 125th Anniversary of Friends University.
- SR 1712 Recognizing the Kansas Small Business Development Center's 2023 Businesses of the Year.
- SR 1713 Recognizing March 8, 2023, as International Women's Day.

Warren, Kellie

- SCR 1602 Disapproving the designation of the lesser prairie chicken as a threatened species in Kansas by the United States Fish and Wildlife Service.
- SCR 1603 Urging the President of the United States to restore energy independence in the United States.
- SCR 1609 Making application to the Congress of the United States to call a convention of the states to establish term limits for members of Congress.
- SR 1712 Recognizing the Kansas Small Business Development Center's 2023 Businesses of the Year.

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Wilborn, Rick

- SCR 1602 Disapproving the designation of the lesser prairie chicken as a threatened species in Kansas by the United States Fish and Wildlife Service.
- SCR 1603 Urging the President of the United States to restore energy independence in the United States.
- SCR 1609 Making application to the Congress of the United States to call a convention of the states to establish term limits for members of Congress.
- SR 1713 Recognizing March 8, 2023, as International Women's Day.
- SR 1718 Honoring the lives lost during the construction of the Kansas State Capitol.
- SR 1721 Recognizing the 125th Anniversary of the Smoky Valley Roller Mills.
- SR 1722 Recognizing Dr. Sue K. Peterson Thomas for her service to the State of Kansas and Kansas State University.
- SR 1723 Commemorating the 20th anniversary of the bilateral relations between Kansas and the Republic of Armenia.

State Legislature, Senate Committees

Agriculture and Natural Resources

- SB 105 Authorizing the Kansas department of wildlife and parks to purchase land in Jewell county.
- SB 120 Authorizing the secretary of health and environment to adopt rules and regulations for an annual certification program for the replacement of distribution systems segments and increasing the amortization period on loans from the Kansas water pollution control revolving fund.
- SB 205 Authorizing certain water rights in a water bank to participate in multi-year flex accounts on a temporary basis.

Assessment and Taxation

- SB 21 Providing an annual sales tax holiday for sales of certain school supplies.
- SB 22 Providing a sales tax exemption for certain purchases and sales by the Johnson county Christmas bureau association.
- SB 30 Increasing the Kansas standard deduction by a cost-of-living adjustment for income tax purposes.
- SB 33 Exempting all social security benefits from Kansas income tax.
- SB 40 Permitting the carryforward of certain net operating losses for individuals for Kansas income tax purposes.
- SB 41 Providing a remittance credit to retailers for the collection of sales and compensating use tax.
- SB 52 Increasing the income limit for the exemption of social security benefits and exempting certain retirement plan income from Kansas income tax.
- SB 53 Excluding manufacturers' coupons from the sales or selling price for sales tax purposes.
- SB 54 Expanding the eligible uses to qualify for the 0% state sales tax rate for certain utilities and providing for the levying of local sales tax on such sales by cities and counties.
- SB 55 Providing a back-to-school sales tax holiday for sales of certain school supplies, computers and clothing.
- SB 56 Increasing the income limit for the income tax subtraction modification for social security income.
- SB 57 Establishing a 0% state rate for sales and use taxes for food and food ingredients,

For page numbers see "Title and History of Bills" in House and Senate Journal Books

- providing a sales tax exemption for children's diapers and feminine hygiene products, establishing the STAR bonds food sales tax revenue replacement fund and altering the calculation for STAR bond districts.
- SB 60 Providing a sales tax exemption for custom meat processing services.
- SB 61 Providing an income tax rate of 5% for individuals and corporations, decreasing the surtax for entities subject to the privilege tax and providing that future income tax rate decreases be contingent on exceeding revenue estimates.
- SB 79 Authorizing counties to impose an earnings tax.
- SB 80 Excluding social security payments from household income for eligibility of seniors and disabled veterans related to increased property tax homestead claims.
- SB 81 Providing a Kansas income tax subtraction modification for the federal work opportunity tax credit and the employee retention credit disallowances.
- SB 94 Discontinuing state property tax levies for the Kansas educational building fund and the state institutions building fund and providing for financing therefor from the state general fund.
- SB 96 Establishing an income, privilege and premium tax credit for contributions to eligible charitable organizations operating pregnancy centers or residential maternity facilities.
- SB 97 Increasing the extent of property tax exemption for residential property from the statewide school levy.
- SB 101 Providing a sales tax exemption for area agencies on aging.
- SB 125 Allowing income tax net operating loss carryback from the sale of certain historic hotels.
- SB 126 Providing an individual income tax credit for certain residential solar and wind energy expenditures.
- SB 127 Providing countywide retailers' sales tax authority for Dickinson county.
- SB 129 Providing a sales tax exemption for purchases of personal property or services by doorstep, inc.
- SB 130 Requiring certain license plates to have the motor vehicle county of registration identified on the plate.
- SB 138 Expanding and clarifying the property tax exemption for Strother field airport property.
- SB 168 Authorizing cities and counties to exempt sales of food and food ingredients from sales taxes levied by such city or county.
- SB 169 Providing an income tax rate of 4.75% for individuals.
- SB 227 Allowing a retailer to retain the state rate of sales and compensating use tax from movie ticket sales and concession sales.
- SB 230 Enacting the Kansas thrift savings plan act and establishing terms, conditions, requirements, membership elections, accounts, benefits, contributions and distributions related to such act.
- SB 247 Providing a sales tax exemption for purchases by a not-for-profit corporation operating a community theater.
- SB 248 Providing a sales tax exemption for healthy food and repealing the state rate reduction for sales of certain food and food ingredients.
- SB 252 Providing for exemptions from property tax and sales tax for certain businesses competing against governmental entities.
- SB 263 Requiring director of property valuation appraiser directives be established by rules and regulations.
- SB 264 Increasing the income tax credit amount for household and dependent care expenses.

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- SB 273 Eliminating the zoning and planning authority for cities in the three-mile area extending from the city boundaries.
- SB 274 Requiring the use of the cost approach for special purpose property for property tax valuation purposes.
- SB 293 Crediting tax revenue generated from wagers made on historical horse races to the horse breeding development fund and the horse fair racing benefit fund.
- SB 300 Decreasing the privilege tax rates on banks, trust companies and savings and loan associations by reducing the normal tax rates.
- SB 306 Including losses from investments in technology-enabled fiduciary financial institutions in Kansas adjusted gross income for income tax purposes.
- SB 311 Excluding internal revenue code section 1031 exchange transactions as indicators of fair market value for property tax valuation purposes.
- SB 312 Requiring the approval of the board of county commissioners prior to the exercise of the power of eminent domain by certain public utilities.
- SB 313 Clarifying the determination of taxable income and providing for the passing through of tax credits to electing pass-through entity owners for purposes of the salt parity act.
- SB 323 Providing for the election of county appraisers.
- SCR 1610 Proposing to amend section 1 of article 11 of the constitution of the state of Kansas to limit property tax valuation increases for real property.
- SCR 1611 Proposing to amend section 1 of article 11 of the constitution of the state of Kansas to limit property tax valuation increases for real property.

Commerce

- SB 47 Prohibiting cities and counties from regulating consumer merchandise and auxiliary containers for the consumption, transportation or protection of consumer merchandise.
- SB 91 Enacting the Kansas film and digital media industry production development act, providing a tax credit, sales tax exemption and loans and grants to incentivize film, video and digital media production in Kansas and establishing a program to be administered by the secretary of commerce for the purpose of developing such production in Kansas.
- SB 114 Creating definitions for "advanced recycling" and related terms and separating advanced recycling from the current solid waste management system.
- SB 136 Providing a tax credit for the installation of certain water conservation systems in newly constructed houses.
- SB 164 Providing a \$2,000 tax credit for qualified employees of licensed child care facilities.
- SB 165 Permitting workers compensation benefits for first responders who suffer from post-traumatic stress disorder.
- SB 229 Providing for the city of Topeka distinctive license plates.

Education

- SB 31 Reapportioning the districts of certain members of the Washburn university board of regents who are appointed by the city of Topeka.
- SB 32 Authorizing the Kansas state high school activities association to establish a school classification system based on student attendance and other factors.
- SB 48 Authorizing community college and technical college appointments to the postsecondary technical education authority and establishing the length of membership terms.
- SB 66 Enacting the interstate teacher mobility compact to recognize equivalent teacher

- licenses across member states.
- SB 82 Requiring schools to establish policies and concussion management teams to prevent and manage concussions within school.
 - SB 83 Providing additional student eligibility under the tax credit for low income students scholarship program and increasing the amount of the tax credit for contributions made pursuant to such program.
 - SB 84 Including individuals who receive a high school equivalency (HSE) credential in performance-based payments for certain postsecondary educational institutions.
 - SB 98 Authorizing medical student and residency loan assistance to encourage the practice of obstetrics and gynecology in medically underserved areas of the state.
 - SB 102 Establishing residency criteria for students of technical colleges.
 - SB 109 Deeming certain refugees as residents of the state for the purposes of tuition and fees at postsecondary educational institutions.
 - SB 122 Removing the sunset for the high-density at-risk student weighting under the Kansas school equity and enhancement act.
 - SB 145 Requiring statutory due process procedures for a school district's non-renewal or termination of a teacher contract.
 - SB 167 Requiring certain school district employees to receive training for seizure recognition and related first aid.
 - SB 207 Requiring policies for and establishing restrictions on school districts with regard to the use of an individual's pronouns if such pronouns differ from the individual's biological sex.
 - SB 226 Authorizing educational agencies to disclose student data for the purpose of conducting research contracted for by an educational agency.
 - SR 1705 congratulating and commending the members of the 2023 Kansas Teacher of the Year team.

Federal and State Affairs

- SB 34 Expanding the use and availability of rural housing incentive districts.
- SB 35 Increasing the rate of compensation for legislators for service during regular and special sessions and the interim period between regular sessions.
- SB 36 Amending the definition of ancestry in the Kansas act against discrimination to include traits historically associated with ancestry, including hair texture and protective hairstyles.
- SB 37 Expanding the transferability of income, privilege and premium tax credits issued under the Kansas housing investor tax credit act.
- SB 38 Increasing the maximum compensation benefits payable by an employer for permanent total disability suffered by an injured employee.
- SB 39 Directing the capitol preservation committee to develop and approve plans for a mural honoring the 1st Kansas (Colored) Voluntary Infantry regiment.
- SB 65 Authorizing cities and counties to enact local laws to regulate abortion as stringent as or more stringent than state law.
- SB 77 Authorizing the Kansas human rights commission or any city or county to remove an unlawful restrictive covenant by recording a redacted plat or declaration.
- SB 92 Creating a procedure for appointment of delegates to a convention of the states under Article V of the Constitution of the United States and prescribing the duties and responsibilities of such delegates.
- SB 93 Creating the constitution and federalism defense act to establish a joint legislative commission to evaluate the constitutionality of federal mandates.
- SB 95 Permitting a prosecution for childhood sexual abuse to be commenced at any time, permitting victims of childhood sexual abuse to bring a civil action for

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recovery of damages caused by such abuse at any time and reviving claims against any party for such damages that occurred on or after July 1, 1984.

- SB 99 Establishing the advisory commission on Asian-American Pacific Islander affairs.
- SB 100 Prohibiting ownership in certain real property in this state by foreign individuals and entities.
- SB 107 Providing that family members of deceased crime victims have the right to sit in a designated seating area at or near the prosecution table during court proceedings.
- SB 116 Standardizing firearms safety programs in school districts.
- SB 117 Authorizing the state historical society to convey certain real property to the Shawnee Tribe.
- SB 118 Expanding the duties of the secretary of health and environment when investigating maternal deaths to include promoting continuity of care, helping develop performance measures and establishing an external review committee to study cases and make recommendations to prevent maternal deaths.
- SB 133 Providing for the enforcement of donor-imposed restrictions on philanthropic gifts of endowment funds or property to charitable organizations.
- SB 134 Adding members to the commission on peace officers' standards and training and requiring the new members to be appointed with a preference to increase diversity.
- SB 135 Creating the medical cannabis regulation act to regulate the cultivation, processing, distribution, sale and use of medical cannabis.
- SB 149 Expanding the crime of promoting obscenity to minors to include drag performances.
- SB 156 Repealing statutes that prohibit, limit and otherwise restrict municipal regulation of firearms.
- SB 157 Designating February 15 of each year as Susan B. Anthony Day in the state of Kansas.
- SB 158 Enacting the community defense and human trafficking reduction act to regulate sexually oriented businesses and human trafficking and to impose criminal penalties.
- SB 159 Creating the Kansas rural grocery store development incentive act to provide tax incentives for the development of grocery businesses in rural areas of the state.
- SB 160 Require commercial entities that produce material harmful to minors on the internet to require age verification for access to such internet sites, establishing a civil cause of action against such commercial entities by persons harmed to recover actual and punitive damages, court costs and attorney fees.
- SB 170 Enacting the Kansas assistance animals in housing act, authorizing housing providers to require documentation of the need for an assistance animal and creating the crime of misrepresentation of entitlement to an assistance animal in housing.
- SB 201 Prohibiting the expenditure of state moneys for the production or performance of drag shows for which minors are the primary audience.
- SB 202 Enacting the Kansas ranked-choice voting act to establish the use of the ranked-choice method of voting for elections in this state.
- SB 208 Restricting the number of remote ballot boxes that may be used in each county and requiring certain monitoring conditions for such use.
- SB 209 Requiring all advance voting ballots be returned by 7 p.m. on election day.
- SB 210 Allowing nonpartisan candidates for office to include such candidate's political party affiliation on the ballot with the candidate's name.
- SB 214 Prohibiting public utilities from recovering any dues, donations or contributions

- to any charitable or social organization or entity through customer rates.
- SB 218 Requiring county election officers to assign registered voters whose residence has no corresponding mailing address to the voting precinct where the residence of such voter is located.
- SB 219 Designating certain healthcare providers as being ineligible to purchase professional liability insurance from the healthcare stabilization fund.
- SB 220 Establishing uniform requirements for all advance voting ballot envelopes.
- SB 221 Requiring affidavits of write-in candidacy for certain locally elected offices and providing requirements for counting write-in votes on ballots.
- SB 222 Removing liability protections from online platforms and requiring certain wireless communication devices to have a default setting notifying parents of application downloads.
- SB 223 Changing the candidate filing deadline and the primary election date to two months earlier than current law, increasing campaign contribution limits and modifying restrictions on campaign activities during legislative sessions.
- SB 224 Enacting the Kansas protection of pensions and businesses against ideological interference act, relating to ideological boycotts involving environmental, social or governance standards, requiring KPERS to divest from and prohibiting state contracts or the deposit of state moneys with entities engaged in such boycotts as determined by the state treasurer and prohibiting discriminatory practices in the financial services industry based on such boycotts.
- SB 233 Creating a civil cause of action against a physician who performs childhood gender reassignment service and requiring revocation of a physician's license who performs childhood gender reassignment service.
- SB 237 Requiring a criminal conviction for civil asset forfeiture and proof beyond a reasonable doubt that property is subject to forfeiture, remitting proceeds to the state general fund and requiring law enforcement agencies to make forfeiture reports more frequently.
- SB 245 Enacting the commercial financing disclosure act, requiring certain disclosures when making commercial financing product transactions, requiring registration with state bank commissioner, obtaining a surety bond, providing for civil penalties and rules and regulations by the commissioner and authorizing enforcement of such act by the attorney general.
- SB 249 Providing for the filling of a vacancy in the officer of state treasurer and commissioner of insurance by statewide party delegate convention.
- SB 250 Removing state department fees for concealed-carry licenses.
- SB 251 Providing sampling rules for alcoholic liquor and cereal malt beverages for spirits distributors, wine distributors and beer distributors in regard to the amount of products used for samples for distributors, retailers and club and drinking establishment licensees.
- SB 253 Authorizing home delivery by licensed retailers, licensed clubs and drinking establishments and restaurants and third-party delivery services.
- SB 254 Providing for the filling of a vacancy in the office of United States senator by a statewide party delegate convention.
- SB 255 Requiring school districts to provide separate accommodations for students of each biological sex on overnight school sponsored trips.
- SB 257 Requiring that closed captioning be enabled on televisions and television receivers in public areas of places of public accommodation.
- SB 258 Enacting the act against abusive access litigation to create a civil action for determining whether litigation that alleges any access violation under the

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- Americans with disabilities act or similar law constitutes abusive litigation and authorize penalties for such abusive litigation.
- SB 259 Prohibiting the use of ballot copies for purposes of any audit or recount of an election, setting a 7:00 p.m. deadline for receipt of advance mail ballots, requiring the use of paper ballots and hand counting, establishing legislative oversight, requiring that certain ballot records and all election records be publicly available and mandating use of a uniform paper for ballot printing.
- SB 260 Prohibiting remote ballot boxes, providing for reporting and publication of voting results and public access to voting records and materials, limiting advance voting provisions and requiring receipt of advance voting ballots by election day, limiting the size of precincts, making the general election a state holiday, providing that the sheriff has sole jurisdiction for and shall provide security at voting places, establishing the authority of the legislature over elections with preeminence over rules and regulations of the secretary of state and federal election law and making certain election crimes felonies.
- SB 261 Authorizing appeals from certain decisions related to a citizen-initiated grand jury.
- SB 262 Requiring voting and vote tabulation by hand and prohibiting electronic poll books or electronic or electromechanical voting or tabulation systems after January 1, 2024, mandating legislative approval of certain election matters and providing for the reporting of vote counts to the secretary of state and publication of the vote counts by the secretary.
- SB 268 Eliminating the statutory qualifications listed for the chief inspector for boiler safety appointed by the state fire marshal.
- SB 269 Exempting charitable raffle prizes of alcoholic liquor and cereal malt beverages from the Kansas liquor control act, the club and drinking establishment act and the Kansas cereal malt beverage act.
- SB 270 Including acts that occur in the course of the taking of property in the crimes of robbery and aggravated robbery.
- SB 271 Limiting the length of trains to 8,500 feet on any main line or branch line and providing for minimum distance for storage of rolling stock.
- SB 276 Specifying the delta-9 tetrahydrocannabinol concentration amount for final hemp products and allowing certain hemp products to be manufactured, marketed, sold or distributed.
- SB 278 Requiring public utilities to report information regarding customer assistance programs, account delinquencies and disconnections.
- SB 279 Granting law enforcement officials access to the prescription monitoring program database without a warrant and replacing the member of the program advisory committee representing the Kansas bureau of investigation with the attorney general or the attorney general's designee.
- SB 280 Modifying self-defense and use of force provisions related to the initial aggressor standard, changing immunity from criminal prosecution and civil action to an affirmative defense and requiring reporting and publication of certain data related to use of force cases by the Kansas bureau of investigation and the judicial administrator.
- SB 281 Creating the position of dementia services coordinator within the department of aging and disability services.
- SB 282 Establishing child care licensing requirements relating to license capacity and staff-to-child ratios, eliminating certain license fees and training requirements, permitting a 16 year-old staff member to staff a unit with children at least 12 months old without supervision, creating a process for day care facility licensees

- to apply for temporary waiver of certain statutory requirements and authorizing the secretary to develop and operate pilot programs to increase day care facility availability or capacity.
- SB 283 Prohibiting conveyance of certain real property in this state to foreign adversaries.
- SB 285 Eliminating the senate confirmation requirement from the appointment of national guard officers.
- SB 286 Prohibiting abortion procedures except when necessary to save the life of the pregnant woman and providing a private cause of action for civil enforcement of such prohibition.
- SB 287 Expanding the Kansas silver alert plan to include persons 18 years of age or older who have dementia, a developmental disability or a cognitive impairment.
- SB 288 Authorizing certain individuals with revoked driver's licenses to be eligible for restricted driving privileges.
- SB 289 Permitting functional incapacitation release and terminal medical condition release for persons sentenced to imprisonment for an off-grid offense and extending terminal medical condition release to inmates in the custody of the secretary of corrections with a condition likely to cause death within 180 days.
- SB 290 Requiring a presidential preference primary election to be held on the first Tuesday following the first Monday in May every fourth year and changing the primary election date for all primary elections to the first Tuesday following the first Monday in May.
- SB 291 Enacting the Kansas public investments and contracts protection act concerning environmental, social and governance (ESG) criteria, prohibiting the state and political subdivisions from giving preferential treatment to or discriminating against companies based on such ESG criteria in procuring or letting contracts, requiring KPERS fiduciaries to act solely in the financial interest of the participants and beneficiaries of the system, restricting state agencies from adopting ESG criteria or requiring any person or business to operate in accordance with such criteria, directing registered investment advisers to provide ESG criteria notice to clients and providing for enforcement of such act by the attorney general.
- SB 292 Updating statutes related to the Kansas army and air national guard, providing for the appointment of a state judge advocate and providing for the adjustment of death and disability benefits.
- SB 296 Prohibiting persons in charge of a building from requiring off-duty police officers carrying a concealed handgun from providing certain personal information or wearing anything identifying such persons as a law enforcement officer or as being armed.
- SB 297 Revising the definition of "abortion" to clarify procedures that are excluded from such definition.
- SB 298 Providing for child support orders for unborn children with a detectable heartbeat.
- SB 299 Providing a Kansas exemption for state income tax purposes for an unborn child with a detectable heartbeat.
- SB 302 Suspending fidfin transactions, custodial services and trust business of technology-enabled fiduciary financial institutions until the legislature expressly consents to and approves such activities by an act of the legislature and requiring the legislature to conduct a forensic audit of technology-enabled fiduciary financial institutions.
- SB 303 Establishing the Kansas legal tender act and providing for an income tax subtraction modification for sales of specie.

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- SB 304 Authorizing the state board of education to establish a new unified school district, if necessary, for the attachment of territory of a school district disorganized via voter petition and providing for administrative and judicial review of resolutions to permanently close a public school building.
- SB 305 Enacting the massage therapist licensure act to provide for regulation and licensing of massage therapists.
- SB 310 Creating the medical cannabis regulation act to regulate the cultivation, processing, distribution, sale and use of medical cannabis.
- SB 314 Prohibiting the secretary of health and environment from requiring COVID-19 vaccination for children attending a child care facility or school.
- SB 315 Requiring child care facilities, elementary, secondary and postsecondary educational institutions and employers to grant exemptions from vaccine requirements without inquiring into the sincerity of the request and repealing the meningitis vaccine requirement to live in student housing.
- SB 317 Permitting a prosecution for childhood sexual abuse to be commenced at any time, extending the time to file civil actions for recovery of damages caused by childhood sexual abuse and providing exceptions in the Kansas tort claims act for claims arising from such abuse.
- SB 321 Providing for a presidential preference primary election on March 19, 2024, and establishing voter registration and voting procedures for such election.
- SB 322 Authorizing any gaming compact regarding sports wagering to include provisions governing sports wagering outside the boundaries of Indian lands.
- SCR 1606 Constitutional amendment proposing the Kansas Citizen Involvement Amendment to reserve the powers of initiative and referendum to the citizens of Kansas.
- SCR 1607 Making application to the United States congress to call a convention of the states for the purpose of proposing amendments to limit the federal government.
- SCR 1608 Urging the adoption of a student bill of rights.

Financial Institutions and Insurance

- SB 14 Updating the version of risk-based capital instructions in effect.
- SB 15 Removing the requirement of a documented written demand for premiums as part of a prima facie case against agents or brokers who fail to pay premiums due.
- SB 16 Discontinuing certain exemptions from the pharmacy benefits manager act.
- SB 17 Modifying the requirement to report individuals who solicit memberships on behalf of prepaid service plans from semi-annually to annually and upon application for registration and discontinuing payment of annual registration fees for such plans.
- SB 18 Adding certain legal entities to the definition of "person" thereby making such entities subject to penalties for violations of insurance law.
- SB 19 Requiring certain premium taxes to be paid 90 days after each calendar year and basing such premium taxes upon the gross premiums collected for the previous calendar year.
- SB 24 Changing the required number of employees contained in the definitions of "large employer" and "small employer" for purposes of coverage for autism spectrum disorder.
- SB 25 Decreasing the premium tax rate imposed on surplus lines insurance from 6% to 3%.
- SB 26 Specifying certain requirements necessary to demonstrate fiscal soundness for health maintenance organizations and medicare provider organizations applying for certificates of authority.

- SB 27 Authorizing the commissioner of insurance to set the amount of certain fees.
- SB 28 Discontinuing payments to certain group-funded insurance pools, refunding existing balances thereof and abolishing such funds and establishing the group-funded pools refund fund.
- SB 44 Enacting the Kansas financial institutions information security act.
- SB 51 Authorizing the state bank commissioner to accept state and national criminal history record checks from private entities.
- SB 62 Enacting the protect vulnerable adults from financial exploitation act, requiring reporting of instances of suspected financial exploitation under certain circumstances and providing civil and administrative immunity to individuals who make such reports.
- SB 76 Providing for an exemption from continuing education licensure requirements for certain insurance producers.
- SB 85 Enacting the Kansas travel insurance act.
- SB 104 Allowing a surcharge when purchases are made with a credit or debit card.
- SB 119 Updating certain obsolete statutory references in chapter 40 of the Kansas Statutes Annotated.

Judiciary

- SB 72 Adding an exception to the hearsay rule to allow admission of statements made to a translator without the testimony of the translator.
- SB 73 Adding domestic battery and violation of a protection order to the crimes that a person can have the intent to commit when committing burglary or aggravated burglary.
- SB 74 Providing for joint liability for costs and sanctions in third-party funded litigation, requiring certain discovery disclosures and requiring payment of certain costs for nonparty subpoenas.
- SB 75 Changing the legal rate of interest from a fixed rate to a variable rate based on the statutory rate provided for interest on judgments.
- SB 115 Changing the lists of persons who are required to be given notice of the hearing on a petition for an independent or stepparent, private agency or public agency adoption.
- SB 174 Increasing criminal penalties for the crime of interference with law enforcement when the violation involves fleeing from a law enforcement officer.
- SB 188 Removing an affirmative defense for public, private and parochial schools from the crime of promotion to minors of material harmful to minors.
- SB 189 Authorizing state and local law enforcement agencies to receive files and information about an applicant from other agencies that received an application for employment from the applicant or conducted an employment background investigation on the applicant.
- SB 190 Requiring a waiver of extradition proceedings as a condition of release prior to trial for any person charged with a felony.
- SB 191 Establishing requirements for the involuntary discharge or transfer of a resident in an adult residential care facility, the right to appeal such discharge or transfer and a process for such appeal.
- SB 192 Providing for payment plans and waiver of fines for traffic fines and court costs, expanding the eligibility for restricted driving privileges, removing and delaying payment for certain fees and eliminating reinstatement of certain fees.
- SB 193 Enacting the reduce armed violence act to increase the criminal penalties for certain violations of criminal possession of a weapon by a convicted felon that involve firearms.

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- SB 216 Adding possession or using a firearm during the commission of certain drug crimes to the crime of criminal use of weapons and creating a special sentencing rule of presumptive imprisonment for violations thereof.
- SB 217 Including the conduct of utilizing any electronic tracking system or acquiring tracking information to determine the targeted person's location, movement or travel patterns in the crime of stalking when done as part of an unlawful course of conduct and authorizing orders to prohibit such conduct under the Kansas family law code, the revised Kansas code for care of children, the protection from abuse act and the protection from stalking, sexual assault or human trafficking act.
- SB 228 Modernizing statutes concerning county jails, removing the requirement that every county shall have a jail, modifying procedures used when district courts commit prisoners to jail in another county and when counties contract with city jails to keep prisoners and requiring a medical examination before certain United States prisoners or city prisoners are taken into custody of a county jail.
- SB 232 Establishing the office of the child advocate as an independent state agency.
- SB 238 Increasing criminal penalties on drug-related crimes when the drug is fentanyl and creating special sentencing rules for mandatory imprisonment and additional terms of imprisonment for drug-related crimes when the drug is fentanyl or is attractive to minors because of its appearance or packaging.
- SB 239 Providing that certain witnesses shall have the right to be accompanied by a support person during testimony and may be accompanied by a certified critical incident response therapy K9 team.
- SB 240 Amending the crime of aggravated endangering a child to increase the criminal penalties in certain environments where any person is distributing, possessing with intent to distribute, manufacturing or attempting to manufacture fentanyl-related controlled substances.
- SB 241 Requiring certain records and files to be automatically expunged from a juvenile's record.
- SB 242 Enacting the cold case homicide victims' families' rights act to provide for a system for reviewing the case files of cold case homicides upon written application by certain persons.
- SB 243 Providing requirements and procedures for settlement agreements involving a minor.
- SB 244 Authorizing the attorney general to prosecute any crime that is part of an alleged course of criminal conduct that occurred in two or more counties.

Local Government

- SB 86 Requiring local governmental officials to disclose substantial interests in the construction and operation of a wind or solar energy conversion system and to abstain from all local governmental actions relating to such matters.
- SB 162 Creating the Riley county unincorporated area nuisance abatement act to establish procedures for the removal and abatement of nuisances in the unincorporated areas of the county and the assessment of the costs for such abatement.
- SB 163 Creating the Dwayne Peaslee technical training center district act to authorize the establishment of the Dwayne Peaslee technical training center district in Douglas county.

Public Health and Welfare

- SB 43 Making and concerning appropriations for the university of Kansas medical center for fiscal years 2023, 2024 and 2025 for conducting certain clinical trials at the midwest stem cell therapy center.

- SB 103 Updating certain provisions of the Kansas dental practices act relating to dentist information requested by patients, in-person practice requirements in dental office using licensee's name, unprofessional conduct and patient complaints.
- SB 111 Enacting the massage therapist licensure act to provide for regulation and licensing of massage therapists.
- SB 112 Amending the scope of practice for registered nurse anesthetists to allow independent practice within the scope of the licensee's education and qualifications.
- SB 113 Allowing naturopathic doctors to engage in the corporate practice of medicine.
- SB 121 Broadening the scope of practice of naturopathic doctors and changing certain provisions pertaining to the licensure and regulation of naturopathic doctors.
- SB 148 Enacting the ensuring transparency in prior authorization act to impose requirements and limitations on the use of prior authorization in healthcare.
- SB 161 Imposing certain health insurance coverage requirements for screening and diagnostic examinations for breast cancer.
- SB 173 Authorizing the over-the-counter purchase of ivermectin tablets and hydroxychloroquine tablets.
- SB 175 Prohibiting abortion procedures and creating the crimes of unlawful performance of an abortion and unlawful destruction of a fertilized embryo.
- SB 176 Increasing the membership of the behavioral sciences regulatory board, decreasing the years of practice required for reciprocity licensure of certain professions, extending the license period for temporary licenses, establishing new license categories, providing additional continuing education requirements and requiring that clinical social work supervisors be approved by the board.
- SB 180 Establishing the women's bill of rights to provide a meaning of biological sex for purposes of statutory construction.
- SB 181 Authorizing establishment of city or county child death review boards and permitting disclosure of records and information related to child deaths.
- SB 234 Prohibiting governmental entities from sharing or transmitting social care information into a closed loop referral system.
- SB 235 Expanding limitations to third-party access to provider network contracts and discounts unless certain criteria are met and prohibitions on payment method restrictions and limitations on certain transaction fees from dental services to all healthcare services.
- SB 236 Requiring drug manufacturers to provide pricing under the federal 340B drug pricing program to pharmacies that enter into contractual agreements with entities covered under the 340B program and prohibiting pharmacy benefits managers from denying patients the freedom to use the pharmacy and healthcare provider of such patient's choice.

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- SB 90 Increasing certain registration and title fees on vehicles for services provided by county treasurers and the division of vehicles, decreasing certain fees related to administrative costs and modifying the disposition of such fees and eliminating the division of vehicles modernization surcharge.
- SB 106 Prohibiting the manufacture, importation, distribution, sale, offer for sale, installation or reinstallation of a counterfeit supplemental restraint system component or nonfunctional airbag and providing for criminal penalties for violation thereof.
- SB 142 Requiring drivers to proceed with due caution when passing stationary vehicles displaying hazard warning lights and providing a penalty for violation thereof.

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SB 143 Allowing for the use of ground effect lighting on motor vehicles.

Utilities

- SB 46 Requiring existing wind energy conversion systems to install light-mitigating technology systems.
- SB 49 Requiring new wind energy conversion systems to be constructed with light-mitigating technology systems.
- SB 68 Providing incumbent electric transmission owners a right of first refusal for the construction of certain electric transmission lines.
- SB 78 Requiring the state corporation commission to review the regional rate competitiveness of an electric utility's rates in electric utility rate proceedings.
- SB 88 Providing for the statewide election of commissioners of the state corporation commission, establishing the utilities regulation division in the office of the attorney general, requiring such division to represent and protect the collective interests of utility customers in utility rate-related proceedings and exempting the state corporation commission from the open meetings act.
- SB 144 Exempting satellite service and video programming services accessed over the internet from the video competition act.
- SB 166 Requiring public disclosure of an application for a transmission line siting permit under the jurisdiction of the state corporation commission.

Ways and Means

- SB 45 Updating income eligibility requirements for the state children's health insurance program.
- SB 67 Transferring \$1,000,000,000 from the state general fund to the budget stabilization fund of the department of administration during the fiscal year ending June 30, 2023.
- SB 150 Authorizing the division of printing to print for local governments and schools.
- SB 151 Concerning state agencies; relating to the employee award and recognition program; authorizing hiring, recruitment and retention bonuses; increasing the limitation on such award or bonus to \$10,000; eliminating the secretary of administration's authority to adopt rules and regulations; and requiring such secretary to submit an annual report to certain legislative committees concerning such awards and bonuses.
- SB 152 Concerning the salaries of the governor, lieutenant governor, attorney general, secretary of state, state treasurer, commissioner of insurance, justices of the supreme court, judges of the court of appeals and members of the governor's cabinet; establishing the rate of pay for such state officers based on the annual rate of pay for members of congress, as adjusted by the specific provisions of this act; and providing that all such rates of pay are subject to appropriations.
- SB 153 Making and concerning supplemental appropriations for fiscal years 2023 and 2024 for various state agencies.
- SB 155 Appropriations for FY 2024, FY 2025 and FY 2026 for various state agencies.
- SB 172 Increasing the KPERS lump-sum death benefit from \$4,000 to \$6,000.
- SB 194 Requiring hospital district board members to be qualified electors of the county where the hospital is located or any adjacent county.
- SB 195 Authorizing the children's cabinet to form a 501(c)(3) for fundraising for the Dolly Parton imagination library book gifting program.
- SB 203 Enacting the Kansas campus restoration act to address deferred maintenance at state educational institutions, establishing the Kansas campus restoration fund in

- the state treasury and authorizing certain transfers from the state general fund to such fund.
- SB 215 Establishing the Kansas rail safety improvement act, providing for safety requirements for railroad operations and crossings and allowing for the transfer of title for abandoned railroad tracks to cities and counties.
- SB 225 Establishing the KanCare bridge to a healthy Kansas program to expand Medicaid eligibility.
- SB 231 Providing postsecondary tuition assistance to certain children of qualifying public school teachers.
- SB 246 Defining in-state and interstate practitioners under the Kansas telemedicine act, establishing certain standards of care, requiring certain insurance coverage of in-state telemedicine services and establishing the Kansas telehealth advisory committee.
- SB 256 Providing KPERS 3 members an additional interest credit of 1% for calendar year 2023.
- SB 265 Increasing the criminal penalties for repeat violations of a protective order.
- SB 266 Requiring law enforcement officers investigating alleged domestic violence to give certain notices to victims and conduct a lethality assessment.
- SB 267 Defining primary aggressor for domestic violence purposes and requiring law enforcement policies to direct that arrest is the preferred response only with respect to the primary aggressor.
- SB 272 Increasing the transfer from the state highway fund to the public use general aviation airport development fund.
- SB 275 Changing the total amount credited to the state gaming revenues fund, increasing the transfer of moneys from such fund to the correctional institutions building fund and decreasing the transfer of moneys to the state economic development initiatives fund.
- SB 277 Providing for the regulation of supplemental nursing services agencies by the secretary for aging and disability services.
- SB 284 Establishing the blind information access act to require the state library to provide on-demand information access services to persons who are blind, visually impaired, deafblind or print disabled.
- SB 294 Increasing the amount of state moneys distributed to local health departments.
- SB 295 Authorizing the continuation of the 20 mill statewide property tax levy for schools.
- SB 301 Requiring annual filing of a statement of substantial interest by local governmental officers and employees.
- SB 307 Adding for-profit private entity to the definition of "qualified applicant" in the Kansas fights addiction act.
- SB 308 Establishing a state employment preference for persons with disabilities and expanding the veterans preference to include remarried spouses of a deceased veteran who died while, and as a result of, serving in the armed forces and surviving spouses, whether remarried or not remarried of a prisoner of war.
- SB 309 Creating the fixing instant revenue shock for taxpayers fund and the local extraordinary needs fund, establishing the joint committee on local extraordinary needs grants and abolishing the local ad valorem tax reduction fund.
- SB 316 Authorizing a comprehensive grant program for not-for-profit independent institutions of higher education to be administered by the treasurer.
- SB 318 Removing the requirement that municipal courts collect fingerprints from persons convicted of violating certain municipal ordinance provisions related to vehicle

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registration or driving without a valid driver's license or motor vehicle liability insurance coverage.

- SB 319 Establishing the alternatives to abortion program to provide resources and promote childbirth to women facing unplanned pregnancies.
- SB 320 Creating the born-alive infants protection act to provide legal protections for infants who are born alive regardless of the intent of the delivery.
- SB 324 Creating the legislative help grant fund, establishing legislative help grants, state representative grants and state senator grants for cities and counties and prescribing procedures, requirements and limitations for such grants.
- SB 325 Establishing the transformation of passenger and freight vehicle industry program to attract businesses engaged in electric motor vehicle and hydrogen-powered vehicle production by offering qualified companies that meet certain requirements an investment tax credit, retention of a percentage of total payroll tax, reimbursement of a percentage of eligible employee training and education expenses and a sales tax exemption for construction costs of the qualified company's qualified business facility.
- SB 326 Making and concerning appropriations for FY 23 and FY 24 for the department of administration for an income tax rebate to certain Kansas resident taxpayers.

State Legislature, Joint Committees

Joint Committee on Child Welfare System Oversight

HB 2024 Expanding legal surrender of an infant to include infant refuge bassinets.

J. Russell (Russ) Jennings Joint Committee on Corrections and Juvenile Justice Oversight

HB 2112 Enacting the Representative Gail Finney foster care bill of rights.

HB 2113 Prohibiting denial of a petition for expungement due to the petitioner's inability to pay outstanding costs, fees, fines or restitution, providing that the waiting period for expungement starts on the date of conviction or adjudication and authorizing expungement of a juvenile adjudication if the juvenile has not committed a felony offense in the previous two years.

HB 2114 Renaming the joint committee on corrections and juvenile justice oversight in honor of Representative J. Russell (Russ) Jennings and requiring the committee to monitor the implementation of juvenile justice reforms.

HB 2115 Prohibiting the use of restraints during hearings under the revised Kansas juvenile justice code unless deemed appropriate by the court.

Joint Committee on Special Claims Against the State

SB 42 Authorizing payment of certain claims against the state.

Joint Committee on Fiduciary Financial Institutions Oversight

SB 204 Replacing the definition of "charitable beneficiaries" with "qualified charities" in the technology-enabled fiduciary financial institutions act.

Joint Committee on Information Technology

HB 2077 Implementing additional reporting requirements for informational technology projects and state agencies and requiring additional information technology security training and status reports.

HB 2078 Changing the membership requirements, terms of members and the quorum requirements for the information technology executive council.

Joint Committee on Pensions, Investments and Benefits

SB 23 Eliminating the statutory 15% alternative investment limit for the KPERS fund

For page numbers see "Title and History of Bills" in House and Senate Journal Books

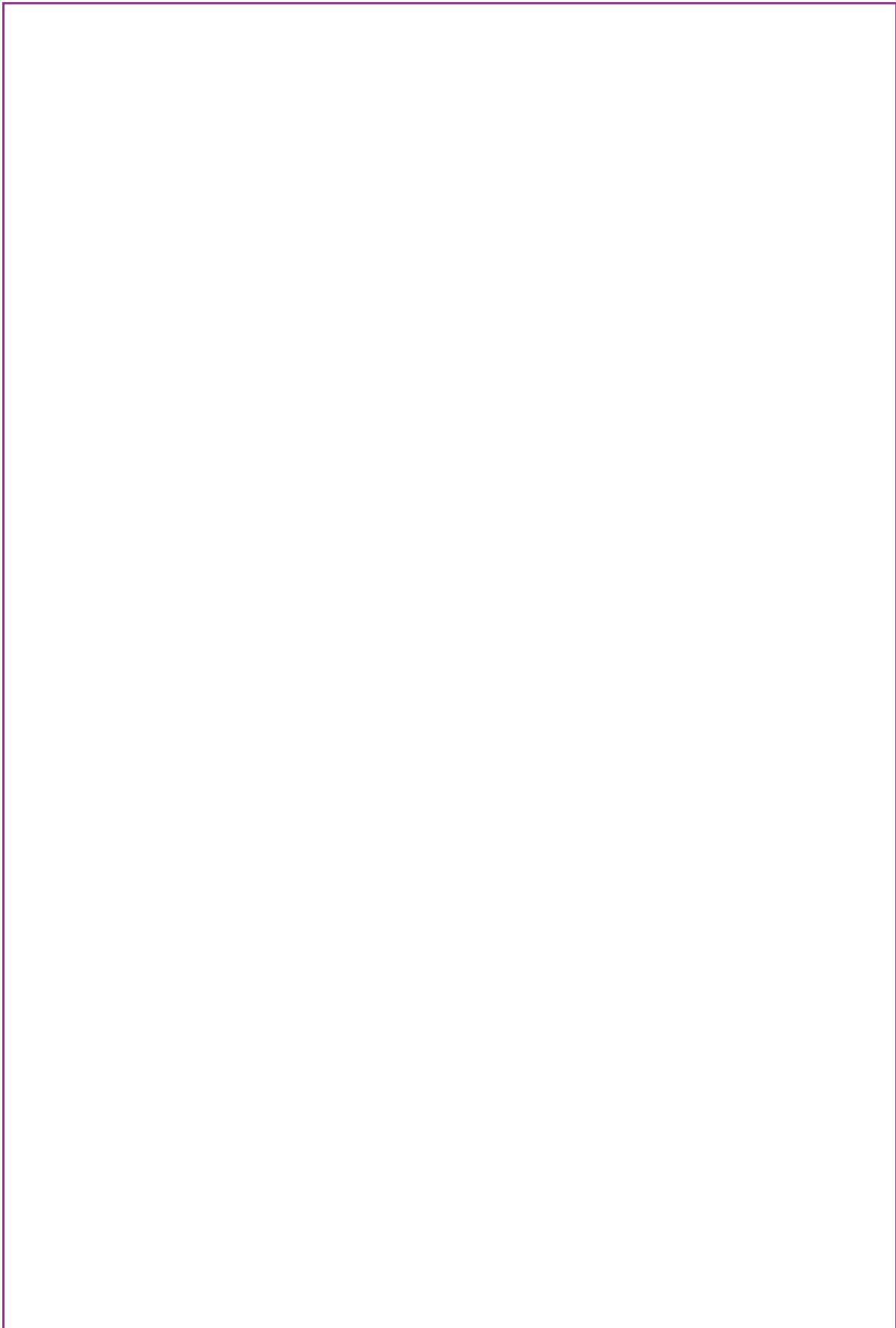
and requiring the KPERS board to establish an alternative investment percentage limit.

HB 2025 Authorizing a self-funded cost-of-living adjustment retirement benefit option for certain KPERS members.

Joint Committee on State-Tribal Relations

SR 1725 Approving an amendment to the gaming compact with the Prairie Band Potawatomi Nation concerning sports wagering.

HR 6026 Approving an amendment to the gaming compact with the Prairie Band Potawatomi Nation concerning sports wagering.



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