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STATE OF KANSAS

February 6, 2024

Testimony on HB2614 (In-Person / Proponent)

House Committee on Legislative Modernization
Wednesday, February 7, 2024

Chair Wasinger and members of the Committee:

Thank you for the opportunity to provide testimony on House Bill 2614 which was introduced by the Secretary of State's office.

In 2022, the legislature enacted KSA 77-440, which requires that each state agency that has adopted rules and regulations shall submit a report to the joint committee on administrative rules and regulations (JCARR) every five years, pursuant to the statutory schedule. The report must include a statement for each regulation as to whether it is necessary or may be expeditiously revoked under a new procedure set out in KSA 77-426.

After completing the first set of reviews in 2023, JCARR noted two statutory provisions needed to be addressed. In response, the Secretary of State, as the agency that oversees the publication of Kansas regulations introduced this bill.

First, of the 116 agencies directed by KSA 77-440 to participate in the 5-year review, 22 no longer exist. These abolished agencies are being struck from the law to avoid confusion. We appreciate the revisor's work in identifying agencies that have unique provisions regarding their ability to issue regulations.

Second, KSA 77-426 requires any agency using the new expedited revocation procedures to hold a public hearing if a member of the public requests it. The law, however, was silent on how to let the public know to request a hearing. Various agencies took different approaches to fill that gap. HB2614 addresses that issue based on input from members of JCARR by requiring written notice to affected businesses, local governments, and individuals of the intended revocation and the opportunity to request a public hearing.

/Clayton Barker

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