



MEMORANDUM

To: Interested Parties

From: John J. Federico, JD
Stephen P. Duerst, JD

Date: February 17, 2023

Re: Weekly Report – Week of February 13, 2023

Please see our Weekly Report on Kansas Legislative activities:

A SPECIAL NOTE ON FINDING BILL LANGUAGE & BILL TRACKERS

If you need to find specific language of a bill, type the number in the box under “Bill number:” on the right-hand side of [this](#) webpage. Once you find the bill listed, click that specific bill. You will find the PDF logo under the “Documents” label - click the logo...this will lead you to the text of the bill.

If there are bills that you would like *removed* from or *added* to your bill tracker, please contact Liz Sosa (Liz@FedericoDuerst.com). As always, our office is more than happy to send you specific language as well.

BUSIEST WEEK OF THE YEAR FINISHES WITH TURNAROUND LOOMING NEXT WEEK

Committees in the Statehouse finished a busy week of hearings and working of bills.

As a reminder, next week, committees will be able to meet Monday and Tuesday 12to complete any unfinished business before being on the floor the remainder of the week. After that, any bills that have not passed one chamber or the other will be considered “dead” for the rest of Session, subject to exceptions.

Please be sure to check the schedule below and your Bill Tracker as things are moving very quickly this time of year.

BILL TO HELP INCREASE INVESTMENT IN FILM PRODUCTION IN KANSAS PASSES COMMITTEE

The [Senate Commerce Committee](#) passed a [bill](#) that would try to incentivize film, video, or digital media productions in Kansas.

Among other incentives, the bill would provide an income tax credit not to exceed \$10 million per fiscal year to production companies approved by the Department of Commerce, including the requirement that at least 10% of the total tax credits approved each year would be for Kansas-based production companies. Eligible production companies could be eligible for a 30% refundable income tax credit for qualified

production and certain post-production expenditures. The bill would also create a new division within the Department of Commerce that would help with education, training and business investment.

Proponents note that neighbouring states, such as Oklahoma, have capitalized on film investment into the state and reaped \$240 million in revenue in 2022. Further, Kansas seems to be in an arms race with Missouri, who is also hearing bills this week that would provide as much as \$40 million in incentives to filmmakers.

No word yet on when the bill will be brought up for a vote in the Senate.

BILL AIMING TO CURB COMPETITION FROM GOVERNMENTAL ENTITIES WILL HAVE HEARING

A [proposal](#) that would provide a property tax exemption for business property that operates in competition with property owned by a governmental entity will have a hearing on Tuesday in the [Senate Tax Committee](#).

The bill would allow for businesses to apply to the county appraiser for the exemption. According to the bill, "A governmental entity that competes against the business" includes any governmental entity that offers any goods or services to the public and receives payment for those goods or services. "A governmental entity that competes against the business" does not include a governmental entity that provides goods or services without receiving payment for those goods or services.

The bill, introduced by the [Kansas Health & Fitness Association](#), has been tried in the Legislature before. A similar [bill](#) was scheduled to be heard in the House but was cancelled without notice.

HISTORIC WATER BILL PASSES HOUSE COMMITTEE

Facing a potential catastrophic shortage of water, the [House Committee on Water](#) passed a historic [bill](#) this week that would create a sustainable funding source for the State Water Plan Fund, which helps fund various conservation efforts across the state.

Under the direction of new committee chair [Jim Minnix](#) (R-Scott City), the committee drafted a bill that would carve out a portion of sales tax that is expected to generate \$66 million per year. The bill will now head to the House floor.

CATALYTIC CONVERTER THEFT BILL HEARD IN COMMITTEE

In an effort to help stem the recent surge in thefts of catalytic converters, stakeholders from the law enforcement community introduced a [bill](#) that would include the items as one of the items of scrap metal that is regulated by the state.

Law enforcement who testified on the bill during a meeting of the [House Judiciary Committee](#) noted that recent laws passed to help regulate scrap metal, including the Scrap Metal Theft Reduction Act, have been instrumental in curbing theft by creating a database for dealers to use and help track illicit sales. Representatives for the coalition, which includes chiefs of police and other officers, noted the database had been queried nearly 5,000 times in 2022, up 400% from 2021. Adding catalytic converters to the list of items needing to be tracked is a must with theft of the item spiking across the country.

The bill is expected to be worked in committee next week.

FOOD SALES TAX CONTINUES TO BE DISCUSSED

The [Senate Tax Committee](#) heard a [bill](#) this week that would allow cities and counties the ability to exempt the sales tax on food. Currently, local governments still have the ability to tax food, notwithstanding the state’s gradual elimination of the tax which was passed last Session. The bill would allow for the local option to go into effect in 2025.

Various other bills have been proposed and heard this Session as lawmakers and the Governor grapple with accelerating the elimination of the state’s food sales tax, which is expected to hit zero in 2025. Lawmakers have had frequent conversations regarding how best to implement the accelerated cut, including the potential to limit the decrease to healthy foods.

No word yet on if the bill will be advanced.

EMS STAFFING BILL DEBATED IN COMMITTEE

A [bill](#) pertaining to emergency medical service staffing had a busy hearing in the [Senate Local Government Committee](#), yesterday. The bill, brought forward by [Senator Alicia Straub](#) (R-Ellinwood), would allow for EMS vehicles to be staffed by one person, if that service is being provided in a county with less than 10,000. Proponents argue the bill will allow for better service to individuals in extremely rural areas of the state. Further, similar laws have been passed in states such as Iowa. Opponents, including the Board of EMS, noted the proposal had the potential to diminish the care given to those they were transporting. Next steps for the bill have not been revealed.

FLOOR REPORTS FOR FEBRUARY 16, 2023

Please see results from floor debate for Thursday, February 16, below:

KANSAS HOUSE FLOOR REPORT – FEBRUARY 16, 2023

<p>HB 2021 by House Corrections and Juvenile Justice Committee</p>	<p>Allowing evidence-based program account money to be used on certain children, requiring the department of corrections to build data systems, and allowing for overall case length limit extensions for certain juvenile offenders</p>	<p>Final Action Passed, 85-35</p>
<p>HB 2060 by House K-12 Education Budget Committee</p>	<p>Establishing the special education and related services funding task force</p>	<p>Final Action Passed, 83-37</p>
<p>HB 2234 by House Commerce, Labor, and Economic Development Committee</p>	<p>Increasing and changing the measure of the cost threshold when state construction projects require a negotiating committee and the selection of professional services from a list of qualified firms</p>	<p>Final Action Passed, 116-4</p>

HCR 5004 by Kristey Williams, R-77th	Urging the U.S. Congress to fully fund the federal government's original funding promise under the individuals with disabilities education act	Final Action Adopted, 119-1
HB 2100 by House Insurance Committee	Updating the version of risk-based capital instructions in effect	General Orders Recommended favorably for passage; EFA: passed, 121-0
HB 2096 by House Insurance Committee	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	General Orders Recommended favorably for passage; EFA: passed, 121-0
HB 2093 by House Insurance Committee	Discontinuing payments to certain group-funded insurance pools, refunding existing balances thereof and abolishing such funds and establishing the group-funded pools refund fund	General Orders Recommended favorably for passage; EFA: passed, 120-1
HB 2314 by House Legislative Modernization Committee	Prohibiting the use of the social media platform TikTok on state-owned devices and on any state network	General Orders Amended by Rep. Owens; recommended favorably for passage; EFA: passed, 109-12
HB 2262 by House Health and Human Services Committee	Allowing six months of an embalmer apprenticeship to be completed prior to an individual attending mortuary science school	General Orders Recommended favorably for passage; EFA: passed, 121-0

SENATE FLOOR REPORT – FEBRUARY 16, 2023

SB 51 by Senate Financial Institutions and Insurance Committee	Authorizing the state bank commissioner to accept state and national criminal history record checks from private entities	General Orders Passed over
SB 116 by Senate Federal and State Affairs Committee	Standardizing firearms safety programs in school districts	General Orders Recommended favorably for passage; EFA; Passed, 30-8

OTHER PRESS RELEASES & UPDATES

WEEKLY SCHEDULE: WEEK OF FEBRUARY 20 – FEBRUARY 24

Schedule subject to change.

*The House and Senate will hear and work bills Monday and Tuesday.
They will be debating bills on the House and Senate Floor the remainder of the week.*

The most up-to-date Daily Session calendars may be found [here](#).

FEBRUARY 20, 2023			
Time	Committee	Room	Notes
8:30 PM	S Agriculture	144-S	N/A
8:30 AM	S Public Health & Welfare	142-S	Possible Action
8:30 AM	S Transportation	546-S	N/A
9:00 AM	H. Approps	112-N	Bill Intros; Budget Action: Board of Accountancy, State Bank Commissioner, Department of Credit Unions
9:00 AM	H Fed & State	346-S	N/A
9:00 AM	H Financial Inst. & Pensions	582-N	Hearing & Action: HB2196- Expanding DROP membership to KP&F, HB2198- Corrections Officers & Wildlife Officials in KP&F
9:00 AM	H Local Government	281-N	Hearing: HB2324- Removing Notice for sale abandoned property; Action: HB2376- Local Discrimination Regs, HB2323- Fire District Annex
9:00 AM	H Leg. Modernization	218-N	Hearing: SB11- Ad Astra Sculpture
9:30 AM	S Tax	548-S	Hearings: SB248- Sales Tax Exemption for Healthy Food, SB79- Counties to impose earning tax; Possible Action
9:30 AM	S Financial Inst. & Insurance	546-S	Hearing: SB24- Changing definition of small/large employer, SB119- Updating KSA Chapter 40
9:30 AM	S Transparency & Ethics	142-S	Action: SB63- Scope of Campaign Contributions to include caregiving services
10:30 AM	S Commerce	546-S	N/A
10:30 AM	S Fed & State	144-S	Bill Intros; Hearings: SB210- Affiliation for nonpartisan, Sb208- Limiting Ballot Boxes, Sb133- Donor restrictions on charity gifts
10:30 AM	S Judiciary	346-S	Hearing: SB240- Fentanyl restrictions around children; Possible Action
10:30 AM	SWAM- Higher Ed	548-S	Budget Action: Postsecondary Education System
11:00 AM	HOUSE FLOOR		
12:00 PM	S Tax (Part II)	142-S	Possible Action

1:30 PM	S Education	144-S	Hearing: SB98- Medical Student Residency Loan Assistance; Budget Hearing: School for the Blind; Possible Action
1:30 PM	S Utilities	548-S	N/A
1:30 PM	H Ag. Budget	118-N	Hearing: HB2386- Prohibiting state or local gov employee from entering private property; Budget Action: KDHE Environment, KCC
1:30 PM	H Child Welfare	152-S	Hearings: HB2407- Eliminating Parental consent Requirements, HB2371- Limiting Children in out-of-home placement; Possible Action
1:30 PM	H Commerce	346-S	Hearing: HB2399- Enacting the Freelance Isn't Free Act to provide protections for freelance workers
1:30 PM	H Corrections & JJ	546-S	N/A
1:30 PM	H Education	218-N	Hearing: HB2223- Removing Sunset on high-density at-risk student weighting; Possible Action
1:30 PM	H Health & Human Ser.	112-N	Hearings: HB2338- Sickle Cell Awareness Program, HB2408- Exempting cosmetology & barbering in nursing homes from certain regulations
1:30 PM	H Higher Ed. Budget	281-N	Budget Hearing: University of Kansas
1:30 PM	H Transportation	582-N	Possible Action
2:30 PM	SENATE FLOOR		
3:30 PM	H Agriculture	112-N	Briefing: FFA; Possible Action
3:30 PM	H General Gov. Budget	281-N	Budget Action: Judicial Branch; Hearing: HB2184- Abolishing the Judicial Council Fund
3:30 PM	H Judiciary	582-N	Possible Action
3:30 PM	H K-12 Budget	546-S	Hearing: HB2382- Board of Ed. Member Free Speech Act
3:30 PM	H Social Services Budget	152-S	Budget Hearing: KDADS
3:30 PM	H Tax	346-S	Bill Intros; Hearing; Hb2254- Agritourism Lands; Possible Action
3:30 PM	H Transportation Budget	118-N	Budget Hearing: Department of Corrections
3:30 PM	H Insurance	218-N	Hearing: HB2283- Ensuring transparency in prior authorization act; Action: HB2325- Maternity Centers as healthcare providers
FEBRUARY 21, 2023			
Time	Committee	Room	Notes
8:30 PM	S Agriculture	144-S	N/A
8:30 AM	S Public Health & Welfare	142-S	Possible Action
8:30 AM	S Transportation	546-S	Hearing & Action: SB229- Topeka Distinctive Plate; Possible Action
9:00 AM	H Appropriations	112-N	Bill Intros; Budget Action: Adjutant Generals, KHP, Board Technical Professions; Possible Action

9:00 AM	H Fed & State	346-S	Bill Intros; Hearing: HB2304- Firearm Programs, HB2406- Limiting off-duty officer's operations; Action: HCR5008- Convention of States
9:00 AM	H Water	218-N	Briefing: Water Conservation
9:00 AM	H Utilities & Telecom	582-N	Action: HB2227- Purchase Agreements Renewable, HB2228- Net metered generation, HB2237- Telecomm ROW, HB2225- Transmission Cost Recovery
9:00 AM	H Veterans	281-N	Action: HB2392- Updating Kansas Code of Military Justice; Briefing; Department of Revenue
9:30 AM	S Tax	548-S	Hearing; SB252- Public/Private Business Competition; Possible Action
9:30 AM	S Financial Inst. & Insurance	546-S	Action: SB119- KSA Chapter 40, SB104- Credit Card Surcharge, SB24- Defining employers, SB28- Group Funded Pools, SB62-vulnerable adults exploitation act
9:30 AM	S Local Government	142-S	Possible Action
10:30 AM	S Commerce	546-S	Action: SB114- Advanced Recycling
10:30 AM	S Fed & State	144-S	Bill Intros; Possible Action
10:30 AM	S Judiciary	346-S	Hearing; SB243- Settlement agreements for a minor, Possible Action
10:30 AM	S Ways & Means	548-S	Budget Action: Department of Admin, OITS, KDOL, Postsecondary Ed., KDHE- Environment, Water Office; Possible Action
11:00 AM	HOUSE FLOOR		
12:00 PM	SWAM- Human Services	548-S	Budget Action: KDADS
1:30 PM	S Education	144-S	Possible Action
1:30 PM	S Utilities	548-S	N/A
1:30 PM	H Ag. Budget	118-N	Budget Action: State Fair Budget
1:30 PM	H Welfare Reform	152-S	N/A
1:30 PM	H Commerce	346-S	Possible Action
1:30 PM	H Corrections & JJ	546-S	N/A
1:30 PM	H Education	218-N	Possible Action
1:30 PM	H Health & Human Ser.	112-N	N/A
1:30 PM	H Higher Ed. Budget	281-N	Budget Hearing: Ft. Hays State; Hearing: HB2290- Authorizing Ft. Hays State affiliation with Technical Schools
1:30 PM	H Transportation	582-N	Possible Action
2:30 PM	SENATE FLOOR		
3:30 PM	H Agriculture	112-N	N/A
3:30 PM	H Judiciary	582-N	Possible Action
3:30 PM	H K-12 Budget	546-S	Possible Action
3:30 PM	H Social Services Budget	152-S	Hearing: HB2330- Increasing State funds directed toward local health departments

3:30 PM	H Tax	346-S	Bill Intros; Hearing: HB2232- Develop courses for County Appraisers to be Mass Appraisers; Possible Action
3:30 PM	H Transportation Budget	118-N	Budget Hearing: KDOT
3:30 PM	H Elections	218-N	Hearing: HB2312- Exempting certain treasurers from liability under the campaign finance act; Possible Action
3:30 PM	H Gen Gov. Budget	281-N	N/A
FEBRUARY 22, 2023			
Time	Committee	Room	Notes
8:30 AM	S Tax	548-S	Possible Action