



MEMORANDUM

To: Interested Parties

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

Date: February 11, 2023

Re: Weekly Report – Week of February 6, 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.

BUSY SCHEUDLE AHEAD

With nearly 700 bills already introduced and a rumor of at least another 300 on the way, the Kansas Legislature has been busy this week with an even busier week to come.

The Legislature has two weeks remaining before “Turnaround” or the halfway point in the Session. Bills that have not advanced across one floor before that time are effectively done for the year, subject to several exceptions.

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

SOCIAL SECURITY RELIEF, FLAT TAX PROPOSALS, CONTINUE TO BE IN THE MIX

Facing a record surplus of state dollars, lawmakers continue to examine and advance proposals that would provide tax relief for Kansans.

[SB 33](#), which would exempt social security benefits from state income tax for those making more than \$75,000 a year, was advanced out of the [Senate Tax Committee](#) this week and awaits a vote before the full [Senate](#).

[HB 2061](#) would provide a 5% income tax rate for individuals and corporations. It would specifically eliminate the individual income tax for joint filers making \$30,000 or less and make other various modifications to the tax code. The proposal comes at a cost, however, with the Department of Revenue noting the bill could cost upwards of \$1 billion. The bill will have hearings beginning on Tuesday, February 14.

ZONING BILL SPARKS DEBATE

The [House Local Government Committee](#) took up a [bill](#) on Wednesday that would repeal zoning and planning authority for cities in a three-mile area extending from city boundaries and would give county commissions the authority to regulate such areas instead. The bill, which was co-sponsored by several GOP members, drew heavy opposition from cities, who noted that extraterritorial planning and zoning is necessary for uniformity, safety and order, especially in suburban areas. Proponents argued onerous zoning laws have reached a breaking point on areas where residents have no representation.

The proposal has not yet been scheduled to be worked.

“ESG” LANGUAGE DROPS; FIGHT LOOMING

Kansas officially entered the Environmental, Social and Corporate Governance (ESG) debate this week as [HB 2404](#) and [SB 224](#) were introduced in their respective chambers. The concept takes a look at investments and risk based on factors such as a company’s environmental sustainability, and social aspects (diversity, working conditions, etc.). Although the bills are still being analyzed, generally bills like those introduced in Kansas limit the ability for the state to do business with financial institutions that work with companies that adhere to ESG practices for investment purposes. Hallway talk has indicated these bills will try to accomplish the same goals. No word yet on when a hearing will take place.

SOCIAL MEDIA BILLS AIMED AT BIG TECH SURFACE

Two bills that pertain to regulating social media were discussed this week in the Capitol.

[SB 50](#) was advanced out of the [Senate Federal & State Affairs Committee](#) on Thursday on a 5-4 vote. Under SB 50, no social media website could contain provisions that aim to restrict, censor or suppress information or political views. Violations could be reported to the attorney general who could bring criminal charges.

Meanwhile, the newly created [House Legislative Modernization Committee](#) will hear a bill designed to ban the use of TikTok on state-owned devices and on any state network. The bill – [HB 2314](#) – follows similar pieces of legislation that have been proposed across the country. TikTok is owned by the Chinese company ByteDance and has received intense criticism from members of the national intelligence community over privacy concerns. The hearing will take place on Monday.

WOMEN IN SPORTS ACT TO HAVE HEARING AFTER PREVIOUSLY BEING VETOED

The House Education Committee will hear a bill that is already familiar to some in the Legislature.

[HB 2238](#), dubbed the Fairness in Women’s Sports Act, would require student athletes to compete in gender-specific sports based on that student’s biological gender. Any governmental entity, licensing or accrediting organization, athletic association, or organization would be prohibited from entertaining any complaint, opening an investigation, or taking any other adverse action against any public school or postsecondary educational institution for maintaining separate sports.

A similar bill was [vetoed](#) last Session by Governor Kelly. The bill will have a hearing on Monday.

EDUCATIONAL SAVINGS ACCOUNTS PASS HOUSE COMMITTEE

The [House K-12 Budget Committee](#) passed a [bill](#) this week that would use a portion of public-school state aide to allow students the ability to attend private school. The bill, which mirrors similar initiatives in other states known as Educational Savings Accounts or ESA, has been a key component to the Kansas GOP platform that was released at the beginning of the Session. No word yet on when the bill will be run across the House floor.

TOBACCO 21 LEGISLATION TO BE WORKED

A push to make the sale of tobacco products to those of age 21 and older, will be worked in the [House Federal & State Affairs Committee](#) next week. The [bill](#) is required to be implemented per federal law. Previously, several individual Kansas communities – including several in the Johnson County region – had passed laws raising the minimum age. The bill would go into effect upon publication.

OTHER PRESS RELEASES & UPDATES

- [Governor Kelly Announces \\$5 Million in Street and Road Safety Grants to Kansas Communities](#)
- [Governor Kelly Announces Retirements of Adjutant General and KHP Superintendent](#)
- [Governor Kelly Announces Aubrie Pryer as Interim Director of the Kansas State Board of Cosmetology](#)
- [Governor Kelly Announces 37 Rural Mural Projects Completed in 2022](#)

WEEKLY SCHEDULE: WEEK OF FEBRUARY 13 – FEBRUARY 17

Schedule subject to change.

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

FEBRUARY 13, 2023			
Time	Committee	Room	Notes
8:30 PM	S Agriculture	144-S	N/A
8:30 AM	S Public Health & Welfare	142-S	Hearing: SB45- Eligibility for Children's Health Insurance Program, SB6- KDHE Authority to quarantine; Possible Action
8:30 AM	S Transportation	546-S	N/A
9:00 AM	H. Approps	112-N	N/A
9:00 AM	H Fed & State	346-S	N/A
9:00 AM	H Water	152-S	N/A
9:00 AM	H Financial Inst. & Pensions	582-N	N/A
9:00 AM	H Local Government	281-N	Action: HB2082- County code inspection under Kansas Fights Addiction Fund, HB2092- Washburn KBOR District
9:00 AM	H Leg. Modernization	218-N	Hearing: HB2314- Banning Tik Tok on State Devices
9:30 AM	S Tax	548-S	Hearing Cont: SB128 Ad Astra Opportunity Tax Credit
9:30 AM	S Financial Inst. & Insurance	546-S	N/A

9:30 AM	S Transparency & Ethics	142-S	N/A
10:30 AM	S Commerce	546-S	N/A
10:30 AM	S Fed & State	144-S	N/A
10:30 AM	S Judiciary	346-S	Hearing: SB2 driver's license privileges for revoked licensees; SB217 electronic tracking system; Possible action
10:30 AM	S Ways & Means	548-S	N/A
10:30 AM	SWAM- Public Safety	218-N	Budget Hearing; EMS Board, Fire Marshal
11:00 AM	SWAM- Human Services	548-S	Budget Hearing: KDADS
11:00 AM	HOUSE FLOOR		
1:30 PM	S Education	144-S	N/A
1:30 PM	S Utilities	548-S	Hearing: SB88- Statewide Election of KCC Board; Possible Action
1:30 PM	H Ag. Budget	118-N	Budget Hearing; Credit Unions, Bank Commissioner
1:30 PM	H Child Welfare	152-S	Hearing; HB2189- Custody for non-minor dependents; Possible Action
1:30 PM	H Commerce	346-S	Hearing: HB2292- Kansas apprenticeship tax credit act; HB2373 fireworks sale time period expansion; Possible Action
1:30 PM	H Corrections & JJ	546-S	Hearing: HB2295- Reporting non-compliance with post release Supervision
1:30 PM	H Education	218-N	Hearing: HB2238- Fairness in Women's Sports Act
1:30 PM	H Health & Human Ser.	112-N	Hearing: HB2340- Increasing the membership of the behavioral sciences regulatory board; Possible action
1:30 PM	H Higher Ed. Budget	281-N	Budget Hearing: KBOR, Wichita State University
1:30 PM	H Transportation	582-N	Hearing: HB2296- Distinctive Plate, HB2298- Highway Renaming; Action: HB2267- Nursing Home Disability Plate
2:30 PM	SENATE FLOOR		
2:30 PM	SWAM- Human Services	548-S	Budget Action: KDHE
3:30 PM	H Agriculture	112-N	Briefing: Weather and Mesonet; Hearings: HB2159- Revenue for Water Program Management Fund, HB2047- Water Pollution Fund
3:30 PM	H General Gov. Budget	281-N	Budget Hearings: Office of the Governor, KDOL; Budget Action
3:30 PM	H Judiciary	582-N	Hearing; HB2409 Kansas uniform parentage act; HB2293 jailhouse witness testimony
3:30 PM	H K-12 Budget	546-S	Briefing: Committee Testimony
3:30 PM	H Social Services Budget	152-S	Budget Hearing: State Hospitals, DCF
3:30 PM	H Tax	346-S	Bill Intros; Hearing: HB21820 Kansas Firm Industry Production Development Act; Action:

			HB2106 sales tax exemption communication services
3:30 PM	H Transportation Budget	118-N	Budget Action: Sentencing Commission, Peace Officers
3:30 PM	H Insurance	218-N	Action: HB2089- Prepaid Services Membership, HB2090- Insurance Fees, HB2284- COBRA Fire Districts, HB2285- Chapter 40 Update
FEBRUARY 14, 2023			
Time	Committee	Room	Notes
8:30 PM	S Agriculture	144-S	Hearing: SB120- KDHE adopting rules for Water Pollution Control Fund
8:30 AM	S Public Health & Welfare	142-S	Hearing: SB12- Kansas Child Mutilation Prevention Act; Possible Action
9:00 AM	S Transportation	546-S	Possible Action
9:00 AM	H Appropriations	112-N	Bill Intros; Budget Action: Board of Healing Arts, HC Stabilization Fund, KPERs; Possible Action
9:00 AM	H Fed & State	346-S	Bill Intros; Action: HB2084- Kratom Consumer Protection Act
9:00 AM	H Water	218-N	Hearing: HB2302- Funding of State Water Plan Fund; Possible Action
9:00 AM	H Utilities & Telecom	582-N	Hearing: HB2225- Limiting electric utility related costs, HB2154- Election of KCC Board
9:00 AM	H Veterans	281-N	Hearing: HB2230- State Judge Advocate for Army & National Guard
9:30 AM	S Tax	548-S	Bill Intros; Budget Hearing: Department of Revenue; Possible Action
9:30 AM	S Financial Inst. & Insurance	546-S	Hearing: SB204- Changing definitions in TEFFI
9:30 AM	S Local Government	142-S	Hearing; SB162- Riley County Nuisance Abatement Act, SB163- Dwayne Peaslee Technical Training Center
10:30 AM	S Commerce	546-S	Action: SB47- Prohibiting cities from regulating consumer merchandise
10:30 AM	S Fed & State	144-S	Hearing; SB209- Ballots returned by 7PM Election Day, SB210- Party Affiliation for nonpartisan candidates
10:30 AM	S Judiciary	346-S	Hearings: SB174- Penalties for fleeing law enforcement, SB189- Background Checks for Employment; Possible Action
10:30 AM	S Ways & Means	548-S	Bill Intros; Budget Action: HC Stabilization, KDHE, KDOT; Possible Action
11:00 AM	HOUSE FLOOR		
12:00 PM	SWAM- Public Safety	548-S	Budget Action: KDOC
1:30 PM	S Education	144-S	Possible Action
1:30 PM	S Utilities	548-S	Hearing (Cont.): SB88- Statewide Election of KCC Board; Possible Action

1:30 PM	H Ag. Budget	118-N	Budget Action: Bank Commissioner, Credit Unions
1:30 PM	H Welfare Reform	152-S	Briefing: DCF; Action: HB2140- Food Assistance Training Programs, HB2141 & HB2179- Both Regarding Delinquent Child Support
1:30 PM	H Commerce	346-S	Hearings HB2334- APEX Project Deadline, HB2344- Council on Tourism Updates
1:30 PM	H Corrections & JJ	546-S	Hearing: HB2329- Firearm penalty during drug felony
1:30 PM	H Education	218-N	Hearing: HB2278- School District Safety Plans, HB2142- School Drinking Water Act; Possible Action
1:30 PM	H Health & Human Ser.	112-N	Hearings: HB2259- Mental Health Medication Availability, HB2288- Counseling Compact Interstate Agreements; Possible Action
1:30 PM	H Higher Ed. Budget	281-N	Budget Hearings: Independent College Association, Community Colleges, Technical Colleges
1:30 PM	H Transportation	582-N	Hearings: HB2335- Grants for Rail Maintenance, HB2346-Distinctive Plate, HB2360- Removing County Designation on License Plate
2:30 PM	SENATE FLOOR		
3:30 PM	H Agriculture	112-N	Briefing: Healthy Food Initiative; Hearings; HB2160- Cotton Bale Transport, HB2332- Transfer of Division of Tourism
3:30 PM	H Judiciary	582-N	Hearing: HB2395 exceptions to public record disclosure KORA
3:30 PM	H K-12 Budget	546-S	Hearings: HB2261- Board of Ed. compensation, HB2271- Transfer to parents' school
3:30 PM	H Social Services Budget	152-S	Budget Hearing: DCF
3:30 PM	H Tax	346-S	Bill Intros; Hearing (Income Tax portion): HB2061- 5% Flat Tax; Possible action
3:30 PM	H Transportation Budget	118-N	Budget Hearing: KHP, Adjutant General
3:30 PM	H Elections	218-N	Hearing: Hb2054- Deadline for recount request, HB2167- Limit cryptocurrency related to campaigns; Possible Action
3:30 PM	H Gen Gov. Budget	281-N	Budget Hearings: Department of Admin, OITS; Budget Action: Board of Barbering
FEBRUARY 15, 2023			
Time	Committee	Room	Notes
8:30 PM	S Agriculture	144-S	Hearing: SB71- Creating the Division of Sustainable Agriculture
8:30 AM	S Public Health & Welfare	142-S	Hearing: SB180- Women's Bill of Rights (Biological Gender), SB5- Prohibiting telemedicine abortion pills; Possible Action

8:30 AM	S Transportation	546-S	Hearing; SB132- Distinctive Plate; Possible Action
9:00 AM	H. Approps	112-N	Bill Intros; Budget Action: Office of Governor; Briefing: Housing Recourse Center Programs
9:00 AM	H Fed & State	346-S	Bill Intros; Hearing: HCR5008- Convention of States
9:00 AM	H Financial Inst. & Pensions	582-N	Hearing: HB2195- Retirant compensation, HB2272- KPERS post-retirement exemption; Action: HB2102- Treasurer Budget & KPERS, HB2197- First Time Homebuyer Account
9:00 AM	H Local Government	281-N	Hearing: HB2376 restrictive discrimination covenants Action: HB2083- Kansas Vacant Property Act; Possible Action
9:00 AM	H Leg. Modernization	218-N	Bill Intros
9:30 AM	S Tax	548-S	Bill Intros; Budget Hearing: BOTA; Hearing: SB169- Individual Income Tax Rate of 4.75%; Possible Action
9:30 AM	S Financial Inst. & Insurance	546-S	Hearing: SB27- Commissioner Fee Structure, SB28- Group Funded Insurance Pools, SB62- Adult Financial Exploitation act
9:30 AM	S Transparency & Ethics	142-S	Hearing: SB63- Scope of contributions to include caregiving services; Possible Action
10:30 AM	S Commerce	546-S	Action: SB91- Kansas Film and Digital Media Production Act
10:30 AM	S Fed & State	144-S	Hearing; SB220- Advance Ballot Envelopes, SB221- Write-in ballot provisions
10:30 AM	S Judiciary	346-S	Hearing; SB193- Reduce Armed Violence Act; SB238 increased criminal penalty for drug crimes; Possible Action
10:30 AM	S Ways & Means	548-S	Hearing: SB172 increasing KPERS lump-sum death benefit; Bill Intros; Budget Action: Lottery, Racing and Gaming Commission
11:00 AM	HOUSE FLOOR		
12:00 PM	LPA	546-S	Audits: Groundwater Management, Election Security
1:30 PM	S Education	144-S	Hearing: SB102- Technical College Residency, SB123- Establishing residency for veterans stationed in KS
1:30 PM	S Utilities	548-S	Hearing; SB166- Transmission line citing under KCC
1:30 PM	H Ag. Budget	118-N	Hearing: Board of Accountancy
1:30 PM	H Child Welfare	152-S	TBA
1:30 PM	H Commerce	346-S	Hearing: HB2333- Disqualification of employment benefits for failure to interview; Possible Action
1:30 PM	H Corrections & JJ	546-S	Hearing: HB2350 crimes & penalties of human smuggling

1:30 PM	H Education	218-N	Hearing: HB2224- School Hours provided, HB2081- Future Teacher of Year Scholarship; Possible Action
1:30 PM	H Health & Human Ser.	112-N	Hearing: HB2390 Est. Kansas overdose fatality review board; Possible Action
1:30 PM	H Higher Ed. Budget	281-N	Hearing: HB2375- Temporary Candidacy for social work licenses
1:30 PM	H Transportation	582-N	Hearing: HB2147- Abandoned vehicle registration; Action: HB2296 & HB2246- Distinctive Plates
2:30 PM	SENATE FLOOR		
3:30 PM	H Agriculture	112-N	Briefing: Foreign Ownership of Land; Possible Action
3:30 PM	H General Gov. Budget	281-N	Budget Action: Office of the Governor
3:30 PM	H Judiciary	582-N	Hearing: HB2380 conviction for civil asset forfeiture; Possible action
3:30 PM	H K-12 Budget	546-S	Possible Action
3:30 PM	H Social Services Budget	152-S	Budget Action: KHP
3:30 PM	H Tax	346-S	Bill Intros; Hearing (Income Tax portion): HB2061- 5% Flat Tax; Possible action
3:30 PM	H Transportation Budget	118-N	
3:30 PM	H Insurance	218-N	Hearing; HB2325- Maternity Centers as healthcare providers; Action: HB2094- MCO Fiscal Health, HB2097- Prima Facie, HB2098- Insurance law
FEBRUARY 16, 2023			
Time	Committee	Room	Notes
8:30 PM	S Agriculture	144-S	Hearing: SB205- Authorizing certain water rights
8:30 AM	S Public Health & Welfare	142-S	Hearings; SB191- Right of appeal for discharge from care facility, SB112- Scope of practice for Nurse Anesthetists; Possible Action
8:30 AM	S Transportation	546-S	Hearing: SB90- Amending fees on vehicles' Possible Action
9:00 AM	H Appropriations	112-N	Budget Action: Office of the Governor; Briefing: Housing Resource Center; Possible Action
9:00 AM	H Fed & State	346-S	Bill Intros; Hearing: HB2044- Crown Act; Action: HB2269- Tobacco minimum age 21+
9:00 AM	H Water	218-N	Possible Action
9:00 AM	H Utilities & Telecom	582-N	Hearing: HB2237- Telecom operations in ROW; Action: HB2226- Whitelining, HB2225- Recovery for certain electric transmission costs
9:00 AM	H Veterans	281-N	Action: HB2230- State Judge Advocate for National Guard, HB2378- Rights to lands in Shawnee County

9:30 AM	S Tax	548-S	Bill Intros; Hearing; SB168- Permitting local Exemption of food sales tax, SB138- Strother Airport Tax Exemption; Possible Action
9:30 AM	S Financial Inst. & Insurance	546-S	Budget Hearing: KPERS; Hearing: SB76- Exemption from continuing education licensure
9:30 AM	S Local Government	142-S	Hearing SB212: rural ambulance operation w/ one emergency medical service provider; Possible Action
10:30 AM	SWAM- Higher Ed	548-S	Budget Hearing & Action: Postsecondary Education System
10:30 AM	S Commerce	546-S	Action: SB114- Advanced Recycling
10:30 AM	S Fed & State	144-S	Hearings: SB218- Assignment of voters, SB208- Restricting number of ballot boxes
10:30 AM	S Judiciary	346-S	Hearing: SB228 modernizing county jail statutes; Possible Action
10:30 AM	S Ways & Means	548-S	N/A
11:00 AM	HOUSE FLOOR		
1:30 PM	S Education	144-S	Budget Hearing: Department of Education
1:30 PM	S Utilities	548-S	Hearing: SB144- Exempting satellite services from Video Competition Act
1:30 PM	H Ag. Budget	118-N	Budget Hearing & Action: KCC
1:30 PM	H Welfare Reform	152-S	Possible Action
1:30 PM	H Commerce	346-S	Hearing: HB2387 STAR bond district food sales tax revenue funding; Possible Action
1:30 PM	H Corrections & JJ	546-S	Hearing: HB2353 time held & criteria for treatment of mentally ill persons
1:30 PM	H Education	218-N	Hearing: HB2322- SED definition for children; Possible Action
1:30 PM	H Health & Human Ser.	112-N	N/A
1:30 PM	H Higher Ed. Budget	281-N	Budget Hearing: Kansas State University
1:30 PM	H Transportation	582-N	Action: HB2335- Grants for track maintenance; Possible Action
2:30 PM	SENATE FLOOR		
3:30 PM	H Agriculture	112-N	Hearing: HB2091- Establishing Division of Sustainable Agriculture, HB2331- Lehigh Portland State Park
3:30 PM	H Judiciary	582-N	Hearing: HB2326 scrap metal; HB2381 court appointed atty for child in need of care; Possible action
3:30 PM	H K-12 Budget	546-S	N/A
3:30 PM	H Social Services Budget	152-S	Budget Hearing: KDADS
3:30 PM	H Tax	346-S	Bill Intros; Hearing; HB2220- Business incubator tax exemption; Action: HB2109 SSI tax subtraction modification; Possible action
3:30 PM	H Transportation Budget	118-N	N/A
3:30 PM	H Elections	218-N	Hearing: HB2391 campaign finance

3:30 PM	H Gen Gov. Budget	281-N	Budget Action: Department of Admin, OITS
FEBRUARY 17, 2023			
Time	Committee	Room	Notes
9:00 AM	House Appropriations	112-N	Budget Action: Behavioral Science Reg Board, Healing Arts, HC Stabilization, KPERS
11:00 AM	H Higher Ed. Budget	281-N	Action: HB2375 Est. social work degrees; Budget Hearing: Pittsburg State University
10:30 AM	S Fed & State	144-S	Possible Action
10:30 AM	S Ways & Means	546-S	Hearing: SB203 Kansas ed institution restoration act; Budget Action: EMS, Fire Marshal; Hearing: KPERS Death Benefit increased to \$6000; Possible Action