



## MEMORANDUM

**To:** Interested Parties

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

**Date:** February 2, 2024

**Re:** Weekly Report – Week of January 29, 2024

Please see our Weekly Report on Kansas Legislative activities:

### **A SPECIAL NOTE ON BILL TRACKERS**

***Bills are introduced in the Kansas Legislature daily. We update your Bill Tracker every day and the link to your Bill Tracker is now automatically updated. Please ensure you monitor the Bill Tracker to be kept apprised of what legislation has been introduced impacting your organization.***

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](mailto:Liz@FedericoDuerst.com)).

As always, our office is more than happy to send you specific language as well.

### **TAX BILL STILL IN LIMBO AS LEGISLATURE READIES ITSELF FOR VETO OVERRIDE**

There has been no movement on the massive GOP tax package that was [vetoed](#) by [Governor Laura Kelly](#) last Friday.

The [bill](#), which contains a controversial single-rate provision, is the Republican’s number one priority this Session. The Governor, who has proposed a [similar package](#), has said she will not sign any bill that contains a flat tax.

Hall chatter suggests that the override may take place early next week, assuming both the House and the Senate have the required two-thirds majority. Of note, [Sen. Dennis Pyle](#) (I-Hiawatha), [Sen. Rob Olson](#) (R-Olathe) and [Sen. John Doll](#) (R-Garden City) have all pledged they would not vote for the override, making the Senate the Chamber of focus at this time.

### **SENATOR CAROLYN MCGINN ANNOUNCES SHE WILL NOT SEEK ANOTHER TERM**

[Sen. Carolyn McGinn](#) (R-Sedgwick) announced her retirement on the floor of the Senate this week. McGinn has been in public service for over 25 years, including six as a Sedgwick County Commissioner. She was the former Chair of the powerful Senate Ways & Means Committee from 2011 – 2012 and 2017 – 2020 where she helped fund critical social services and craft the state’s current transportation plan. She currently chairs the [Senate Local Government Committee](#). Only one individual – current [Rep. Stephen Owens](#) (R-Hesston) – has filed for the seat.

### **GOVERNMENT COMPETITION LANGUAGE REVIEWED**

The “Government Competition” portion of [SB 8](#) was reviewed in the [House Tax Committee](#) this week.

SB 8 contained many bundled tax policy items, but was likely vetoed last Session due to this controversial section which would provide a real and personal property tax exemption for certain businesses located in cities where a facility owned or operated by a governmental entity competes against the business.

Both the House and Senate are beginning to craft new tax packages following the Governor’s veto of HB 2284. It is anticipated that while the House may have the votes needed to override the veto, the Senate will come up short.

### **NET METERING BILL HEARD IN HOUSE COMMITTEE**

Members of the [House Energy, Utilities & Telecommunications Committee](#) heard a [bill](#) pertaining to net metering on Thursday.

Specifically, the bill would amend current law to increase the capacity limitation for the total amount of generation facilities subject to net metering, require generation facilities to be appropriately sized, and establish requirements for exporting power to a utility. It would generally apply to interconnection agreements between Kansas customer-generators and utilities. Further, the measure would establish certain parameters on the availability of these agreements relative to total utility rate generation, capacity size of qualifying customer generation facilities, and the availability of time-varying rates for customer generators.

Following an interim committee this summer, and meetings between interested parties, the bill appears to be a compromise, and even has the support of Evergy, the state’s primary utility provider. Net metering has been discussed in Kansas for years, but has never made significant progress in the Legislature.

The bill is one of several bills dealing with energy that has been introduced this Session. The bill will be worked next Tuesday.

### **TAX BILL AIMED AT DIGITAL GOODS TO HAVE A HEARING**

The “Baby Yoda” tax is back! The House Tax Committee will take up [HB 2584](#), which would impose sales and compensating use tax on digital property and subscription services. Everything from applications to streaming services would be added to the tax rolls. The bill was introduced by the Committee’s Vice Chairman, [Rep. Brian Bergkamp](#) (R-Wichita). The hearing is scheduled for next Tuesday.

### **LEGISLATURE TO EXPLORE AGE VERIFICATION BILL NEXT WEEK**

A pair of [bills](#) meant to verify one's age before viewing materials "harmful to minors" will be heard next week in the House and Senate.

The bills would require websites displaying these materials, such as adult entertainment websites, to use reasonable methods of age and identity verification to help keep minors away from the obscene materials. In both bills, the definition of "host" does not include internet service providers.

Both the [House](#) and [Senate](#) Judiciary Committees will take up the matter on Wednesday in their respective committees.

#### **BILL DESIGNED TO HELP RURAL AMBULANCE SERVICES VETTED**

The [Kansas League of Municipalities](#) was a proponent of a [bill](#) heard this week designed to allow ambulance services in rural communities operate with less certified personnel, in an effort to assist with staffing issues.

Speaking on behalf of the League, Spencer Duncan told the Senate Local Government Committee that the intent of the bill is to require only one certified EMS practitioner to be in the vehicle, while the driver would only need to be first-aid certified. The measure would only apply to ground facility transportation as opposed to emergency response.

Opponents of the proposed measure included the [Kansas Board of Emergency Medical Services](#) who noted that a variance program is currently in place that achieves a similar goal.

The [Chair](#) has not announced whether the bill will be worked.

#### **USE OF ARTIFICIAL INTELLIGENCE IN POLITICAL CAMPAIGNS DISCUSSED**

The [House Elections Committee](#) heard a [bill](#) this week designed to regulate the use of artificial intelligence in political campaigns.

The bill would require campaigns to disclose when "synthetic media" is used to manipulate images, video or audio. It would also ban the use of AI to impersonate a candidate or official when the purpose is to manipulate an individual's vote.

The bipartisan bill is supported by Kansas [Secretary of State Scott Schwab](#), among others. While AI has been [discussed](#) significantly over the summer interim, this is the first proposed measure to deal with the subject this Session.

**WEEKLY SCHEDULE: FEBRUARY 5 – FEBRUARY 9, 2024**

*Schedule subject to change. Daily Session calendars may be found [here](#).*

Time	Committee	Room	Notes
<b>MONDAY, FEBRUARY 5, 2024</b>			
8:30 PM	S Agriculture	144-S	Budget Hearing & Action: Department of Ag.
8:30 AM	S Public Health & Welfare	142-S	N/A
8:30 AM	S Transportation	546-S	N/A
9:00 AM	H Appropriations	112-N	N/A
9:00 AM	H Fed & State	346-S	N/A
9:00 AM	H Financial Inst. & Pensions	582-N	Bill Intros; Hearing: HB2560- Expiration Conditions of Applications under State Banking Code; Possible Action
9:00 AM	H Legislative Modernization	218-N	TBA
9:00 AM	H Local Government	281-N	Bill Intros; Hearing: HB2587- Drainage Board Closed Meeting Provisions; Action: HB2537- Contract Provisions in Local Contracts
9:30 AM	S Tax	548-S	N/A
9:30 AM	S Financial Inst.	546-S	N/A
9:30 AM	S Transparency & Ethics	142-S	Bill Intros; Budget Hearing & Action: Office of State Bank Commissioner, Department of Credit Unions
10:30 AM	S Commerce	546-S	Bill Intros; Briefing: Hilmar Cheese Company
10:30 AM	S Fed & State	144-S	Bill Intros; Possible Action
10:30 AM	S Judiciary	346-S	Bill Intros; Hearing: SB379- Notice on property transfer, SB412- Sentencing Rules on Consecutive Sentences; Possible Action
10:30 AM	SWAM- Human Services	548-S	Budget Hearings & Action: State Institutions on Mental Health, State Institutions for I/DD
11:00 AM	HOUSE FLOOR		
12:00 PM	<i>Joint Commerce</i>	346-S	Hearing: HB2570-Unemployment Compensation
1:30 PM	S Education	144-S	Bill Intros; Briefing: LPA At-Risk Audit, Tax Credit for Low Income Student Scholarship
1:30 PM	S Utilities	548-S	N/A
1:30 PM	H Ag. Budget	118-N	Bill Intros; Budget Hearing: Kansas State Fair
1:30 PM	H Corrections & JJ	546-S	Bill Intros
1:30 PM	H Education	218-N	Bill Intros
1:30 PM	H Health & Human Ser.	112-N	N/A
1:30 PM	H Higher Ed. Budget	281-N	Briefing: Kansas State University
1:30 PM	H Transportation	582-N	Bill Intros; Action: HB2481, HB2575, HB2507- Highway Renaming Bills, Action: HB2498 & HB2500- Distinctive Plate Bills
1:30 PM	H. Child Welfare	152-S	Bill Intros; Action: HB2536- Establishing the SOUL Family Legal Option; Possible Action
2:30 PM	SENATE FLOOR		

3:30 PM	H Agriculture	112-N	Bill Intros; Briefing: Hilmar Cheese Company
3:30 PM	H Gen Gov Budget	281-N	Bill Intros; Budget Hearing; Pooled Money Investment Board, State Treasurer; Budget Action: Governor, Gov. Ethics Commission
3:30 PM	H Judiciary	582-N	Bill Intros; Hearing: HB2605- Increasing Max Rate for Indigent Defense
3:30 PM	H K-12 Budget	546-S	Bill Intros; Hearing: HB2612- Requiring USD to be in Compliance with all State Rules & Regs
3:30 PM	H Social Services Budget	152-S	Bill Intros; Budget Hearing: Veterans Affairs, KDADS
3:30 PM	H Tax	346-S	Bill Intros; Briefing: Kansas Assessment Data Network
3:30 PM	H Transportation Budget	118-N	N/A
3:30 PM	H Insurance	218-N	Bill Intros; Action: HB24878- Pregnancy Center as Healthcare Provider, HB2533- Reasonable Per Diem for Insurance Examinations
<b>TUESDAY, FEBRUARY 6, 2024</b>			
8:30 PM	S Agriculture	144-S	TBA
8:30 AM	S Public Health & Welfare	142-S	Hearing: SB371- Expanding the Kansas Silver Alert Plan; Possible Action
8:30 AM	S Transportation	546-S	Hearings: SB400- Sporting KC Distinctive License Plate, SB357- Renaming a portion of US-81; Possible Action
9:00 AM	H Appropriations	112-N	Bill Intros; Budget Report: CURB, KCC, Dental Board, KDOL, Optometry; Possible Action
9:00 AM	H Fed & State	346-S	Bill Intros; Hearing: HB2632- Expanding Membership of LE Memorial Committee; Action: HB2358- Midlevel Practitioners File Death Certificate
9:00 AM	H Utilities & Telecom	582-N	Hearing: HB2527- Cost Recovery for Electric Generation; Action: HB2588- Capacity Limitation for Net Metering
9:00 AM	H Veterans	281-N	Hearings: HB2624- Veterans Disability Determinations, HB2625- Documents for Benefit from Service Connected Disability
9:00 AM	H Water	152-S	Hearings: HB2633- Resources for Water Management, HB2634- Engineer Consulting on Groundwater Use Control Areas
9:30 AM	S Tax	548-S	Bill Intros; Budget Hearings; Department of Revenue, BOTA; Possible Action
9:30 AM	S Financial Inst. & Insurance	546-S	Hearings: SB398- Authorizing Commissioner Fees, SB405- Revising Discipline under the Uniform Securities Act
9:30 AM	S Local Government	142-S	Hearing: SB346- Restricting Rezoning Amendments; Possible Action
10:30 AM	S Commerce	546-S	Briefing: Salina Chamber Economic Development
10:30 AM	S Fed & State	144-S	Bill Intros; Confirmation Hearing: Mark Engholm- State Fire Marshal; Hearing: SB365- Ballots due on election day; Possible Action

10:30 AM	S Judiciary	346-S	Hearings: SB419- Crime of Endangerment w/ Fentanyl present, SB413- Crime of Fentanyl Distribution, SB414- Fentanyl Related Substances
10:30 AM	S Ways & Means	548-S	Bill Intros; Budget Reports: Nursing, Pharmacy, Healing Arts, Technical Professions; Hearing: SCR1615- Leg Compensation Rejection; Possible Action
11:00 AM	HOUSE FLOOR		
12:00 PM	SWAM- Executive	218-N	Budget Hearing & Action: Secretary of State, Department of Administration
12:00 PM	SWAM- Gen. Gov	548-S	Budget Hearing & Action: Human Rights Commission, Judicial Branch
1:30 PM	S Education	144-S	Action: SB387- Continued Enrollment under Open Enrollment, SB386- School Enhancement Calculations, SB360- Subtraction Mod. In ABLE
1:30 PM	S Utilities	548-S	Appointment Hearing: Andrew French- KCC
1:30 PM	H Ag. Budget	118-N	Budget Hearings: Water Office, Department of Ag, KDHE-Environment; Budget Action: State Fair
1:30 PM	H. Welfare Reform	152-S	Briefing: Local Issues on Homelessness- JoCo
1:30 PM	H Commerce	346-S	Hearing (Cont.): HB2570- Workers Comp. Bill
1:30 PM	H Corrections & JJ	546-S	Action: HB2583- Penalties for harming Police Animals, HB2601- Requiring Treatment Model for Multiple DUI Convictions
1:30 PM	H Education	218-N	Briefing: Farm to Table
1:30 PM	H Health & Human Ser.	112-N	Hearings: HB2548- No Patient Left Alone Act, HB2637- Rural Hospital Licensure; Action: HB2547- Emergency Kits, HB2453- Dentist Compact
1:30 PM	H Higher Ed. Budget	281-N	Briefing: Community & Technical Colleges
1:30 PM	H Transportation	582-N	Hearing: HB2482 & HB2558- Military Distinctive Plate Bills; Action: HB2499- Prohibiting Phone Use in School/Construction Zone
2:30 PM	SENATE FLOOR		
3:30 PM	H Agriculture	112-N	Hearings: HB2564- Farm to Food Bank Program, HB2608- Regs on Poultry Disease Control Act
3:30 PM	H Gen. Gov Budget	281-N	Budget Hearing: Human Rights Commission, KPERS; Budget Action: AG, OITS
3:30 PM	H Judiciary	582-N	Hearing: HB2599- Prohibiting Charges for KORA Requests, HB2675- Non-Parent Visitation Act
3:30 PM	H K-12 Budget	546-S	Briefing: Special Education Taskforce
3:30 PM	H Social Services Budget	152-S	Budget Hearing & Action: DCF
3:30 PM	H Tax	346-S	Bill Intros; Hearing: HB2584- Sales Tax on Digital Property & Subscription Services
3:30 PM	H Transportation Budget	118-N	N/A
3:30 PM	H Elections	218-N	Briefing: Voting Machine Demonstration; Hearing: HB2603- Citizens Election Oversight Board, HB2518- SOS/County Regs on Remote Ballots
<b>WEDNESDAY, FEBRUARY 7, 2024</b>			

8:30 PM	S Agriculture	144-S	Briefing: KSU Ag Update; Possible Action
8:30 AM	S Public Health & Welfare	142-S	Hearing: SB352- Enacting John Springer Patient's Bill of Rights
8:30 AM	S Transportation	546-S	Hearing: SB349- Establishing an Intercity Passenger Rail Service Program
9:00 AM	H. Approps	112-N	Bill Intros; Hearing: HB2472-Cap Budget Growth 2%; Action: HB2491- Law Enforcement Training Fund; Budget Report: EMS, Fire Marshal
9:00 AM	H Fed & State	346-S	N/A
9:00 AM	H Financial Inst. & Pensions	582-N	N/A
9:00 AM	H Legislative Modernization	218-N	TBA
9:00 AM	H Local Government	281-N	Hearing: HB2626- Disorganization of Cemetery District, HB2661- Vacancies in County Commissioner Districts & Staggered Terms
9:30 AM	S Tax	548-S	Bill Intros; Budget Action: Department of Revenue, BOTA; Possible Action on Bills Previously Heard
9:30 AM	S Financial Inst. & Insurance	546-S	Hearing: SB406- Enacting the Kansas Money Transmission Act
9:30 AM	S Transparency & Ethics	142-S	N/A
10:30 AM	S Commerce	546-S	Budget Hearing & Action: Department of Commerce
10:30 AM	S Fed & State	144-S	Bill Intros; Hearing: SB446- Prohibiting Ownership of Land by Certain Entities Oversight by new Land Council; Possible Action
10:30 AM	S Judiciary	346-S	Hearing: SB394- Requiring Age Verification Technology on Websites; Possible Action
10:30 AM	S Ways & Means	548-S	Bill Intros; Budget Action: AG, Insurance, State Institutes for Mental Health & I/DD; Hearing: SB382- FY24-28 Budget; Possible Action
11:00 AM	HOUSE FLOOR		
12:00 PM	SWAM- Gen. Gov	548-S	Budget Action: Human Rights Commission, Judicial Branch
1:30 PM	S Education	144-S	Briefing: JAG-K Program
1:30 PM	S Utilities	548-S	Briefing: Every Energy Efficiency Programs
1:30 PM	H Ag. Budget	118-N	Budget Action: Water Office, Department of Ag, KDHE-Environment
1:30 PM	H Commerce	346-S	Briefing: Security Threats from Counties of Concern
1:30 PM	H Corrections & JJ	546-S	TBA
1:30 PM	H Education	218-N	Hearing: HB2574- Term Limits for USD Boards; Possible Action
1:30 PM	H Health & Human Ser.	112-N	Hearing: HB2622- Prohibit Smoking at Casinos; Possible Action
1:30 PM	H Higher Ed. Budget	281-N	Briefing: Washburn & Private/Independent Colleges
1:30 PM	H Transportation	582-N	Hearings: HB2501- Designating State Locomotive, HB2502- State Heritage Railroad

1:30 PM	H Child Welfare	152-S	Hearing: HB2552- Limiting DCF Interference with Federal Benefits, HB2553- Missing Youth, HB2554- DCF Identify Relatives for Placement
2:30 PM	SENATE FLOOR		
3:30 PM	H Agriculture	112-N	Briefing: KSU Ag Update
3:30 PM	H General Gov. Budget	281-N	Budget Hearings: Department of Admin, Real Estate Commission; Budget Action: Secretary of State
3:30 PM	H Judiciary	582-N	Hearing: HB2592- Age Verification on Websites
3:30 PM	H K-12 Budget	546-S	Briefing: Statutes Related to At-Risk Learners
3:30 PM	H Social Services Budget	152-S	Budget Hearing & Action: DCF
3:30 PM	H Tax	346-S	Bill Intros; Hearing: HB2585- Excluding Sales Tax on Services of Restoration/Remodeling of a Building; Possible Action
3:30 PM	H Transportation Budget	118-N	N/A
3:30 PM	H Insurance	218-N	Bill Intros
<b>THURSDAY, FEBRUARY 8, 2024</b>			
8:30 PM	S Agriculture	144-S	Briefing: Kansas State Fair; Possible Action
8:30 AM	S Public Health & Welfare	142-S	Hearing: SB404- Expedited Partner Therapy
8:30 AM	S Transportation	546-S	Budget Action: KDOT
9:00 AM	H Appropriations	112-N	Bill Intros; Budget Reports: GGB on OITS/Gov/Dept. of Credit Unions; Possible action
9:00 AM	H Fed & State	346-S	N/A
9:00 AM	H Water	152-S	Final action on bills previously heard
9:00 AM	H Utilities & Telecom	582-N	Hearings: HB2589 public utilities/law enforcement utility pole attachment agreements; HB2590 penalties for pipeline safety violations; Action
9:00 AM	H Veterans	281-N	Hearing: HB2623 veterans assistance program
9:30 AM	S Tax	548-S	Bill Intros; Hearings: SB376-Expanding Single City Port Authority Tax Credit, SB421- Sales Tax Exemption Exploration Place; Possible Action
9:30 AM	S Financial Inst. & Insurance	546-S	TBA
9:30 AM	S Local Government	142-S	Briefing: 2023 SB162-Changing Riley County Area Nuisance Abatement Act; Possible Action
10:30 AM	S Commerce	546-S	Budget Action: Department of Commerce
10:30 AM	S Fed & State	144-S	Bill Intros; Hearing: SB375- Prohibiting AI in Election Media; Possible Action
10:30 AM	S Judiciary	346-S	Hearings: SB292- Adjusting Death & Disability Benefits of KS Army, HB2392- Updating Code of Military Justice; Possible Action
10:30 AM	SWAM- Higher Ed	548-S	Budget Hearing: Postsecondary Education System
11:00 AM	HOUSE FLOOR		
1:30 PM	S Education	144-S	Hearing: SB407- Requiring State Board to Authorizing Teaching Licenses for Alternative Certification Program
1:30 PM	S Utilities	548-S	Briefing: Electric Co-ops



1:30 PM	H Ag. Budget	118-N	Budget Recs: Water Office, Dept. of Ag, KDHE-Environment
1:30 PM	H Welfare Reform	152-S	Briefing: Local Issues on Homelessness- Topeka
1:30 PM	H Commerce	346-S	TBA
1:30 PM	H Corrections & JJ	546-S	TBA
1:30 PM	H Education	218-N	Hearing: HB2613- Statewide DARE Program; Possible Action
1:30 PM	H Health & Human Ser.	112-N	Hearing: HB2669- Codifying the MHIT to KDADS
1:30 PM	H Higher Ed. Budget	281-N	N/A
1:30 PM	H Transportation	582-N	Final action; HB2502 Designating the Abilene/SVR as official heritage railroad
2:30 PM	SENATE FLOOR		
3:30 PM	H Agriculture	112-N	TBA
3:30 PM	H Judiciary	582-N	N/A
3:30 PM	H K-12 Budget	546-S	Hearing: HB2521- Requiring State Board to Authorizing Teaching Licenses for Alternative Certification Program
3:30 PM	H Social Services Budget	152-S	Hearing: KDHE Budget
3:30 PM	H Tax	346-S	Bill intros; Hearing HCR5022- Amend Constitution to authorize classification and taxation of all-terrain vehicles
3:30 PM	H Transportation Budget	118-N	N/A
3:30 PM	H Elections	218-N	Bill Intros; Hearing HB2572- Delivery of adv voting ballots; HB2571- Adv ballot box ballots are provisional until verified; possible action
<b>FRIDAY, FEBRAURY 9, 2024</b>			
10:30 AM	Sen. Ways & Means	548-S	Bill Intros; Budget Reports: State Bank Commissioner, Department of Credit Unions, CURB, KCC, KDOT; Possible Action